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# United States Department of Agriculture,

## BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

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### SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 7701-7750.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., October 23, 1920.]

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#### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**7701. Adulteration and misbranding of olive oil. U. S. \* \* \* v. 36 1-Quart Cans, 12  $\frac{1}{2}$ -Gallon Cans, and 2 1-Gallon Cans of a Product Purporting to be Olive Oil. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 9998. I. S. No. 7924-r. S. No. C-1142.)**

On April 4, 1919, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the condemnation and forfeiture of 36 1-quart cans, 12  $\frac{1}{2}$ -gallon cans, and 2 1-gallon cans of a product purporting to be olive oil, remaining unsold in the original unbroken packages at Indianapolis, Ind., alleging that the article had been shipped on or about December 13, 1918, by P. D'Anna, Chicago, Ill., and transported from the State of Illinois into the State of Indiana, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. Said article was labeled in part, "Extra Quality Olive Oil F. Arrigo Termini Imerese Italia Sicilia."

Adulteration of the article was alleged in the libel for the reason that a substance consisting in part of cottonseed oil had been mixed and packed with the article so as to reduce, lower, and injuriously affect its strength, and had been substituted in part for pure olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that said article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, olive oil, and for the further reason that said article was labeled and branded as above quoted so as to deceive and mislead the purchaser thereof into believing that the product in each of said cans was pure olive oil, when, in truth and in fact, said product was an imitation of pure olive oil. Further misbranding was alleged for the reason that said article was labeled and branded as aforesaid so as to purport to be a foreign product, when, in fact, said product was not a foreign product, and for the further reason that said article was food in package form, and the quantity of the contents was not

plainly and conspicuously marked on the outside of the package in terms of weight or measure.

On January 2, 1920, no claimant having appeared for the property, a decree of condemnation and forfeiture was entered, and on February 24, 1920, it was ordered by the court that the product be relabeled "Cottonseed Oil Slightly Flavored with Olive Oil" and sold by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7702. Adulteration and misbranding of compound pepper. U. S. \* \* \* v. 22 Cases of Compound Pepper. Decree of condemnation, forfeiture, and destruction. (F. & D. No. 9574. I. S. No. 16232-r. S. No. E-1203.)**

On January 14, 1919, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 22 cases of compound pepper, remaining unsold in the original unbroken packages at Savannah, Ga., alleging that the article had been shipped on or about November 8, 1918, by Hanley & Kinsella Coffee & Spice Co., St. Louis, Mo., and transported from the State of Missouri into the State of Georgia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Net weight 6 pounds H & K Compound Black Pepper Hanley and Kinsella Coffee and Spice Co., St. Louis, Mo."

Adulteration of the article was alleged in substance in the libel for the reason that capsicum and corn meal had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in whole or in part for black pepper, which the article purported to be, said capsicum and corn meal having been mixed with the article in such a manner as to damage said pepper and to conceal the inferiority of said product.

Misbranding of the article was alleged for the reason that the statement, to wit, "Compound Black Pepper," borne on the labels, was false and misleading and deceived and misled the purchaser in that it represented that the said product was compound black pepper, whereas, in truth and in fact, said product was a mixture of black pepper, capsicum, and corn meal.

On September 30, 1919, no claimant having appeared for the property, a decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7703. Misbranding of Texas Wonder. U. S. \* \* \* v. 36 Packages and 36 Packages of a Product Labeled "The Texas Wonder." Decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 9527, 9528. I. S. Nos. 16127-r, 16128-r. S. Nos. E-1171, E-1177.)**

On December 9, 1918, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 36 packages and 36 packages of a product, labeled "The Texas Wonder," remaining unsold in the original unbroken packages at Savannah, Ga., alleging that the article had been shipped on or about November 25, 1918, and October 14, 1918, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "The Texas Wonder, Hall's Great Discovery, for Kidney and Bladder Troubles, Diabetes, Weak and Lame Backs, Rheumatism, Gravel. Regulates



Bladder Trouble in Children;" (circular) "Louis A. Portner \* \* \* testified he began using The Texas Wonder for stone in the kidneys \* \* \* and tuberculosis of the kidneys \* \* \*. He was still using the medicine with wonderful results and his weight had increased \* \* \*."

Analysis of the product made in the Bureau of Chemistry of this department showed that it consisted essentially of oleoresin of copaiba, rhubarb, guaiac, an oil similar to oil of turpentine, alcohol, and water.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements, so appearing on said carton label and in said circular inclosed in said carton, were false and fraudulent in that said product consisted essentially of oleoresin of copaiba, rhubarb, turpentine, guaiac, and alcohol, and that said product contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed for said product in said labels and circulars.

On September 30, 1919, no claimant having appeared for the property, default decrees of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7704. Adulteration and misbranding of acid acetylsalicylic. U. S. \* \* \*  
v. 17 Cans of a Product Purporting to be Acid Acetylsalicylic.  
Default decree of condemnation, forfeiture, and destruction. (F.  
& D. No. 9565. I. S. No. 5876-r. S. No. C-1027.)**

On January 2, 1919, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 17 cans of a product purporting to be acid acetylsalicylic, remaining unsold in the original unbroken packages at Evansville, Ind., alleging that the article had been shipped on or about December 15, 1918, by Charles L. Huisking, Inc., acting for and on behalf of the Verandah Chemical Co., New York, N. Y., and transported from the State of New York into the State of Indiana, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "1000 (5 gr.) Acetylsalicylic Acid Tablets 'Aspirin' Verandah Chemical Co. Verandah Place, Brooklyn, N. Y."

Analysis of samples of the article by the Bureau of Chemistry of this department showed that the tablets contained approximately 0.29 grain of acetylsalicylic acid and 1.92 grains of salicylic acid per tablet.

Adulteration of the article was alleged in substance in the libel for the reason that its strength and purity fell below the professed standard and quality under which it was sold.

Misbranding of the article was alleged in substance for the reason that the statement "Acetylsalicylic Acid Tablets 'Aspirin,'" borne on the label, was false and misleading in that said article was an imitation of, and was offered for sale under the name of, another article, to wit, acetylsalicylic acid tablets, aspirin.

On January 2, 1920, no claimant having appeared for the property, a decree of condemnation and forfeiture was entered, and on February 24, 1920, it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7705. Adulteration and misbranding of olive oil. U. S. \* \* \* v. 216 Gallons of a Product Purporting to be Olive Oil. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 9531. I. S. No. 12533-r. S. No. E-1181.)**

On December 10, 1918, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 216 gallons of a product purporting to be olive oil, consigned on or about August 3, 1918, remaining unsold in the original unbroken packages at Springfield, Mass., alleging that the article had been shipped by Razis & Macris, New York, N. Y., and transported from the State of New York into the State of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in substance in the libel for the reason that cottonseed oil had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength.

Misbranding of the article was alleged in substance in that the packages and labels thereof bore a statement which was false and misleading, that is to say, the statement that it was Greek olive oil compounded with cottonseed oil, when said product was not Greek olive oil, but consisted almost wholly of cottonseed oil, and that by manner of display it led the purchaser to believe that said product was a foreign product, when, in truth and in fact, it was a product of domestic manufacture. Misbranding was alleged for the further reason that said article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On January 27, 1920, Peter Frenitzos, Springfield, Mass., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in a sum approved by the court, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7706. Adulteration of coriander seed. U. S. \* \* \* v. 2 Sacks of Alleged Coriander Seed. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10381. I. S. No. 7048-r. S. No. C-1262.)**

On May 26, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 sacks of alleged coriander seed, remaining unsold in the original packages at St. Louis, Mo., alleging that the article had been shipped on or about April 29, 1919, by Henneberry & Co., Arkansas City, Kans., and transported from the State of Kansas into the State of Missouri, and charging adulteration under the Food and Drugs Act. The article was labeled in part, "Coriander 90 Pounds."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On April 8, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7707. Adulteration and misbranding of canned corn. U. S. \* \* \* v. 420 Cases \* \* \* Cook's Favorite Brand Sugar Corn. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 10311. I. S. No. 7925-r. S. No. C-1228.)**

On May 17, 1919, the United States attorney for the Eastern District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 420 cases, each containing 2 dozen cans of \* \* \* Cook's Favorite Brand Sugar Corn, remaining unsold in the original unbroken packages at Lexington, Ky., consigned on or about October 8, 1918, by A. A. Linton, Clarksville, Ohio, and transported from the State of Ohio into the State of Kentucky, and charging adulteration and misbranding under the Food and Drugs Act. The article was labeled in part, "Cook's Favorite Brand Sugar Corn Packed by A. A. Linton Clarksville Ohio Main Office Wilmington, O."

Adulteration of the article was alleged in the libel for the reason that field corn had been substituted in whole or in part for sugar corn, which the article purported to be.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements, designs, and devices, borne by the labels above quoted, were false and misleading and designed to deceive and mislead the purchaser in that they represented and made it appear that the article was sugar corn, whereas, in fact and in truth, said article was field corn.

On October 21, 1919, the case came on for trial, and the jury returned a verdict of guilty, whereupon a judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to W. T. Sistrunk & Co., Lexington, Ky., claimant, upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that the product be relabeled, "Extra Early Adam's Corn Garden Variety."

E. D. BALL, *Acting Secretary of Agriculture.*

**7708. Misbranding of olive oil. U. S. \* \* \* v. Anthony Scaduto (Scaduto & Co.). Plea of not guilty. Tried to the court and jury. Verdict of guilty upon two counts of the information. Fine, \$50. Remaining counts of information dismissed. (F. & D. No. 10298. I. S. Nos. 14918-r, 15255-r, 15256-r, 15266-r.)**

On October 27, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Anthony Scaduto (Scaduto & Co.), New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about September 27, 1918, October 9, 1918, and October 10, 1918, from the State of New York into the States of Pennsylvania and Maryland, of quantities of alleged olive oil which was misbranded. One brand of the product was labeled, "Fontanella Brand Olio Finissimo. Packed by Scaduto & Co. New York Trade Mark Registered Net Contents Half Gallon Quest Olio È Garentito Ottimo. Per Insalata E Per Cucinare This Oil is Guaranteed To Be Excellent for Salad and Cooking," and (in very small type) "Cotton seed oil slightly flavored with pure olive oil." The other brand was labeled, "Finest Quality Table Oil Tipo Termini Imerese cottonseed oil slightly flavored with olive oil Sicilia—Italia ½ Gallon Net Guaranteed Absolutely Pure."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it consisted almost entirely of cottonseed oil and that the cans were short volume.



Misbranding of the article was alleged in substance in the information with respect to the shipments made on September 27, 1918, and October 9, 1918, for the reason that the statements, to wit, "Olio Finissimo," not corrected by the statement in inconspicuous type, "Cottonseed oil slightly flavored with pure olive oil," and "Net Contents Half Gallon" or "One Quart," borne on the cans containing the article, regarding it and its ingredients, were false and misleading and it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that said article was olive oil, and that each of the cans contained  $\frac{1}{2}$  gallon or 1 quart of the article, whereas, in truth and in fact, said article was not olive oil, but was a mixture composed in part of cottonseed oil, and each of said cans did not contain  $\frac{1}{2}$  gallon or 1 quart of the article, but did contain a less amount. Misbranding of the shipment made on October 10, 1918, was alleged in the information for the reason that the statements "Finest Quality Table Oil Guaranteed Absolutely Pure," "Tipo Termini Imerese Sicilia-Italia," " $\frac{1}{4}$  Gallon Net," together with the designs and devices of natives gathering and packing olives, not corrected by the statement in inconspicuous type "Cottonseed oil slightly flavored with olive oil," were false and misleading and labeled so as to deceive and mislead the purchaser into the belief that said article was an olive oil produced in Italy, and that each of the cans contained  $\frac{1}{4}$  gallon of the article, whereas, in truth and in fact, said article was not olive oil produced in Italy, but was a mixture composed in large part of cottonseed oil and a domestic product, and each of said cans did not contain  $\frac{1}{4}$  gallon net of the article, but did contain a less amount.

On November 5, 1919, the defendant entered a plea of not guilty, and on January 16, 1920, the case came on for trial before the court and jury. Counts 1, 2, and 3 were dismissed on motion of the United States attorney and counts 4, 6, 7, and 9 were dismissed during the trial by the court. After the submission of evidence and arguments by counsel, the following charge was delivered to the jury by the court, (Hand, *D. J.*):

GENTLEMEN OF THE JURY: Only two counts are for your consideration. The portion of count 5 which alleges that there was a representation on the Fontanella can of an incorrect amount. The so-called Fontanella count says: "Net contents,  $\frac{1}{4}$ -gallon," and the part of count 5 which you are to pass on which still stands is whether that was a true representation or not.

The other count which you are to pass on is count 8, which represents that the cans of Termini Imerese oil were falsely branded in respect to the representation as to what the oil was and in respect to the amount, which is  $\frac{1}{4}$  gallon net on the outside of the can.

Now, the defendant in the case of both the Fontanella and the Termini Imerese brands insists that this amount represented on the can should be read in connection with the trade custom of  $7\frac{1}{2}$  pounds of cottonseed oil to the gallon. He says that based on that trade custom of weight that this representation as to the half-gallon and quarter-gallon is true.

You are to determine whether in fact the statement on the Fontanella can that it contained a half-gallon, in view of all the evidence, was a true statement. It is not a question of the intention of the defendant, but it is a question of what, in view of all the facts shown to you, is the truth. He has no right, whether he is innocent of purpose or not, under this Pure Food Act to make an incorrect representation as to the contents of his can. So that in regard to count 5, the Fontanella can, the only question for you to determine is whether the Government has proved beyond a reasonable doubt whether the statement that the net contents of the can is a half-gallon is true or not.

The second question for you to pass on, for both of these misbrandings are alleged in count 8, is whether, as count 8 says the can was labeled so as to deceive and lead the purchaser into the belief that said article was olive oil and that said article was a foreign product, to wit, an olive oil produced in Sicily in the kingdom of Italy, and that each of said cans, etc.

The question for you to determine as business men, and it is a typical question for a jury of fact based on business experience and common sense, is what would

the person, the purchaser, a member of the public getting that kind of a can, upon such examination as they would be likely to give it, say about it? Would they think it was olive oil, or would they think it was cottonseed oil? The defendant says cottonseed oil slightly flavored with olive oil is the compound indicated there, and that it is clearly stated in these letters. The Government says those are the only small letters, except the quarter of gallon net, on the whole can; and that they do tend to mislead the public and are a false branding. The Government further says: "What could have been the object of putting this tree and the 'Termini Imerese' on?" There is no proof that any cottonseed oil ever came from that part of the world, in Sicily. What would it mean except that this was olive oil.

The question for you to determine on count 8, as in the case of the Fontanella oil in count 5, is, what is the effect of this? What did  $\frac{1}{4}$  of a gallon net mean in view of all the evidence, and was it correct? Next, what is the effect of this description? Is it a misbranding? Is it something calculated to deceive the public or not? If you find on count 5 in respect to the Fontanella oil that the can did not contain a half-gallon, and are satisfied beyond a reasonable doubt of that fact, then you will find a verdict for the Government upon count 5.

If you find on count 8 that the Termini Imerese can either did not contain  $\frac{1}{4}$  of a gallon net, or was misbranded in respect to the description of the contents, that is to say, the kind of oil and where it came from, in either of those events, if you find either fact beyond a reasonable doubt, you are to find a verdict for the Government; otherwise for the defendant, who, of course, is entitled, as in all criminal cases, to the presumption of innocence until he is proved guilty beyond a reasonable doubt.

Mr. STANTON (attorney for defendant). If the court please, might I request you to charge the jury that the character of this defendant should be taken into consideration in their deliberations?

The COURT. No; it is a question of what he did, not a question of intent; it is a question, Mr. Stanton, of whether this statement as to what the can contained is correct, and the picture and descriptive words on the other can indicating or not indicating, as the jury may think, origin, whether that is correct. If the defendant's concern put it out and traded in it, even though he did not know it, he has got to know it; it is not a question of a man's motive.

This Pure Food Law, of course, is a very important law. It is for the purpose of protecting people and seeing that the public get fair statements as to weights, origins and all that sort of thing. It should be administered also, of course, both by the courts and juries, in a rational and sensible way.

The jury thereupon retired, and after due deliberation returned a verdict in favor of the Government on the charge of short measure, and thereafter on January 19, 1920, in accordance with said verdict, the court imposed a fine of \$50 on the defendant.

E. D. BALL, *Acting Secretary of Agriculture.*

**7709. Adulteration and misbranding of olive oil. U. S. \* \* \* v. 200 Cases \* \* \* of Alleged Olive Oil. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 9390, 9391. I. S. Nos. 2208-r, 2209-r. S. No. W-248.)**

On or about October 11, 1918, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 200 cases, each containing 2 5-gallon cans of alleged olive oil, remaining unsold in the original unbroken packages at San Pedro, Calif., alleging that the article had been shipped on or about May 11, 1918, by John T. Delany, New York, N. Y., and transported from the State of New York into the State of California, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "5 Gal. Net."

Adulteration of the article was alleged in the libel for the reason that cottonseed oil had been mixed and packed with, and substituted wholly or in part for, olive oil, so as to reduce and lower and injuriously affect its quality and strength.

Misbranding of the article was alleged in the libel for the reason that the article was billed and invoiced as "Imp. Olive Oil," whereas, in truth and in fact, the article was not "Imp. Olive Oil," but contained a mixture of cottonseed oil and olive oil, and that the invoicing and billing of the article was calculated to deceive and mislead the purchasers of the article. Misbranding was further alleged in that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, "Imp. Olive Oil," whereas the article was not "Imp. Olive Oil," but was a mixture of cottonseed oil and olive oil. Misbranding was further alleged in that the quantity of the contents of each of the cans was not correctly stated on the cans in that the said cans were labeled "5 Gal. Net," whereas each can contained a less amount of oil than 5 gallons.

On February 4, 1919, the French Sardine Co., Smith & Doyle, and the Southern California Fish Co., claimants, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimants, or any of them, upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$3,000, conditioned in part that the product be labeled "Cottonseed Oil Flavored with Olive Oil 4.8 Gals.," and when so labeled be inspected by an inspector of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

**7710. Adulteration of raisins. U. S. \* \* \* v. 2400 Cases \* \* \* Ungraded Raisins. Consent decree of condemnation and forfeiture. Product ordered released under bond.** (F. & D. No. 11153. I. S. No. 3026-r. S. No. W-478.)

On September 3, 1919, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2400 cases, labeled in part "California Associated Raisins Co. Eat Raisins 25 Pounds Net Ungraded Raisins," remaining unsold in the original unbroken packages at Seattle, Wash., alleging that the article had been received on or about August 19, 1919, at Seattle, Wash., having been consigned by E. Y. Foley, San Francisco, Calif., and transported from the State of California into the State of Washington, and charging adulteration under the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that sand had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength, and that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On November 24, 1919, E. Y. Foley, claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$2,500, in conformity with section 10 of the act, conditioned in part that the product be denatured under the direction of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

**7711. Adulteration and misbranding of olive oil. U. S. \* \* \* v. Nicholas Cosentino. Plea of guilty. Fine, \$50.** (F. & D. No. 11122. I. S. Nos. 7504-r, 7505-r.)

On January 7, 1920, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against



Nicholas Cosentino, Detroit, Mich., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about March 4, 1918, from the State of Michigan into the State of Illinois, of quantities of olive oil which was adulterated and misbranded. The article was labeled in part, "Italy Pure Olive Oil \* \* \* Lucca Toscana \* \* Olio d'Oлива."

Analysis of a sample of the product made in the Bureau of Chemistry of this department showed that it contained a considerable proportion of cottonseed oil.

Adulteration of the article was alleged in the information for the reason that cottonseed oil had been substituted in part for olive oil, which the article purported to be, and had been mixed and packed with the article so as to lower, reduce, and injuriously affect its strength, purity, and quality.

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "Italy Pure Olive Oil," "Olio D'Oлива," "Lucca Toscana," together with the designs and devices of an Italian coat of arms and of medals appearing thereon, were false and misleading, and deceived and misled the purchaser in that they represented to purchasers that the same was olive oil and a foreign product, whereas, in fact and in truth, the said article was not olive oil, but consisted in part of a domestic product, and was not olive oil, nor was the same wholly a foreign product.

On January 9, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*

**7712. Misbranding of dairy feed. U. S. \* \* \* v. Omaha Alfalfa Milling Co., a Corporation. Plea of guilty. Fine, \$10. (F. & D. No. 11121. I. S. Nos. 11055-r, 11056-r.)**

On March 5, 1920, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Omaha Alfalfa Milling Co., a corporation, alleging shipment by the said defendant company, in violation of the Food and Drugs Act, on or about July 19, 1918, and February 6, 1918, from the State of Nebraska into the State of Michigan, of quantities of dairy feed which was misbranded. The article was labeled in part, "Beauty Dairy Feed \* \* \* Guaranteed Analysis Protein 24 per cent."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the shipment of July 19 contained 21.6 per cent of protein, and that the shipment of February 6 contained 20.7 per cent of protein.

Misbranding of the article was alleged in the information for the reason that the statement "Protein 24 per cent" was false and misleading and deceived and misled the purchaser, in that it represented to the purchaser of said article that the same contained not less than 24 per cent of protein, whereas, in fact and in truth, the said article did contain less than 24 per cent of protein.

On April 5, 1920, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$10.

E. D. BALL, *Acting Secretary of Agriculture.*

**7713. Misbranding of Lung Vita. U. S. \* \* \* v. 6 Dozen Large Bottles and 3 Dozen Small Bottles of Lung Vita. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11112. I. S. No. 7316-r. S. No. C-1431.)**

On August 25, 1919, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court

of the United States for said district a libel for the seizure and condemnation of 6 dozen large bottles and 3 dozen small bottles of a drug, labeled in part "Lung Vita," remaining unsold in the original unbroken packages at Evansville, Ind., alleging that the article had been shipped by the Nashville Medicine Co., Nashville, Tenn., and transported on or about July 10, 1919, from the State of Tennessee into the State of Indiana, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: (Bottle and carton) "Lung Vita for Consumption and Bronchial Asthma. Directions Take teaspoonful before retiring for the first week, then two teaspoonfuls. Drink no water for two hours after. Alcohol 5%. Shake well before taking. Price \$1.00. This bottle contains 4 fluid ozs. Nashville Medicine Company, Nashville, Tenn. Shake Well Lung Vita. Lung Vita Mfg. by Nashville Medicine Company, Nashville, Tenn. For Asthma, Coughs, Colds Take Lung Vita Mfg. by Nashville Medicine Company, Nashville, Tenn.;" (back of bottle) "In cases of lung trouble \* \* \* Lung Vita may also be used for coughs, colds, bronchial troubles and whooping cough \* \* \*;" (circular) Lung Vita \* \* \* Consumption and Lung Trouble \* \* \* Take your medicine regularly. \* \* \* Bronchial Asthma \* \* \* Colds, Coughs, Whooping Cough, Grip, Croup and Bronchial Troubles. \* \* \* take the medicine according to directions on the bottle \* \* \*." (The large and small bottle labels were identical except as to the quantity of contents and price.)

Analysis of a sample of the product made by the Bureau of Chemistry of this department showed that it consisted essentially of kerosene, vegetable oils, sugar, glycerin, alcohol, a small amount of plant extractives, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the statements above quoted, regarding the curative and therapeutic effects of the article, were false and fraudulent in that the drug did not contain any ingredient or combination of ingredients capable of producing the results claimed.

On January 2, 1920, no claimant having appeared for the property, a decree of condemnation and forfeiture was entered, and on February 24, 1920, it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7714. Adulteration and misbranding of cocoa. U. S. \* \* \* v. 528 Pounds of Alleged Cocoa. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11111. I. S. No. 6773-r. S. No. C-1428.)**

On August 22, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the condemnation and forfeiture of 528 pounds of alleged cocoa, remaining unsold in the original unbroken packages at Streator, Ill., alleging that the article had been shipped on or about March 28, 1919, by the National Cocoa Mills, New York, N. Y., and transported from the State of New York into the State of Illinois, and charging adulteration and misbranding under the Food and Drugs Act. The article was labeled in part, "My Own Pure Cocoa. Net weight  $\frac{1}{2}$  lb." or " $\frac{1}{2}$  pound," as the case may be, "The Cocoa contained in this package is Positively High Grade and guaranteed by the manufacturers to comply with all Federal and State Food Laws. It is a breakfast cocoa of Superior Quality and Excellence. Absolutely Pure. No Alkalies. No Chemicals."

Adulteration of the article was alleged in the libel for the reason that starch and sugar had been mixed and packed with the article so as to reduce, lower,

and injuriously affect its quality and strength and had been substituted in part for genuine cocoa, which the article purported to be, and for the further reason that the said article of food was mixed in a manner whereby damage and inferiority were concealed.

Misbranding of the article was alleged for the reason that the above-quoted statements, borne on the label, were false and misleading in that the statement, to wit, "My Own Pure Cocoa," was not sufficiently corrected by the inconspicuous statement "My own cocoa compound containing corn starch, sugar." Misbranding was alleged for the further reason that the foregoing statement deceived and misled the purchaser into the belief that the article of food was pure cocoa, whereas, in truth and in fact, the said article was not pure cocoa, but starch and sugar had been mixed and packed with it so as to reduce, lower, and injuriously affect its quality and strength, and for the reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, genuine cocoa.

On March 5, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7715. Misbranding of D. D. D. Remedy for Eczema.** U. S. \* \* \* v. 7½ Dozen Bottles of Drugs Labeled in Part, "D. D. D. Remedy for Eczema" (Ordinary Strength) and 2 Dozen Bottles of Drugs Labeled in Part, "D. D. D. Remedy for Eczema" (Extra Strong), and U. S. \* \* \* v. 6½ Dozen Bottles of Drugs Labeled in Part, "D. D. D. Remedy for Eczema." Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 12265, 12266. I. S. Nos. 15517-r, 15515-r, 15516-r, 15518-r, 15519-r. S. Nos. E-2009, E-2010, E-2014, E-2015.)

On March 3, 1920, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 15½ dozen bottles of D. D. D. Remedy for Eczema, remaining unsold in the original unbroken packages at Baltimore, Md., consigned January 31, 1920, and January 24, 1920, alleging that the article had been shipped by the United Fig & Date Co. (D. D. D. Co.), Chicago, Ill., and transported from the State of Illinois into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a solution of phenol, salicylic acid, methyl salicylate, oil of sassafras, and chloral hydrate in alcohol and water.

Misbranding of the article was alleged in the libel in that statements contained in the labeling of the article, regarding the curative and therapeutic effects of the article, to wit, (ordinary strength, large-size carton) "D. D. D. Remedy for Eczema and Diseases of the Skin and Scalp. Eczema, Psoriasis, Pimples, Tetter, Salt Rheum, Dandruff, Ivy Poison, Hives, Itching Piles, \* \* \* Itch, Barber's Itch, Dermatitis, Herpes, Sycosis," (ordinary strength, large-size bottle) "D. D. D. Prescription for the Skin and Scalp," (booklet) "D. D. D. The Lotion for Skin Diseases \* \* \*". In nearly all instances D. D. D. gives relief at once \* \* \*. It is indeed true that the first or second full size bottle will relieve the itch and will be found to be sufficient in the majority of cases of skin disease. In practically all cases the fourth or fifth or at the very most the sixth bottle will plainly indicate to the patient that he is on the road to recovery \* \* \*. Continue the use of D. D. D. prescription until the desired results are obtained. \* \* \* D. D. D. is a treatment. \* \* \* The most



common forms of skin diseases successfully treated by D. D. D. Eczema (Salt Rheum); Tetter \* \* \* Psoriasis \* \* \* Barber's Itch \* \* \* Sycosis \* \* \* Acne \* \* \* Dandruff \* \* \* Hives, Nettle Rash \* \* \* Plant Poison," (in the booklet 23 pages of testimonials which represent the preparation as a treatment or cure for eczema, "any of the many skin diseases," the "worst cases of skin diseases," "something like a cancerous growth," barber's itch, "Ichthyosis" (ichthyosis) psoriasis, scrofula), ordinary strength, smaller sizes, bottle) "D. D. D. Prescription for the Skin and Scalp \* \* \* Pimples on the Face, Red Nose, Barber's Itch," (carton) "D. D. D. Remedy for Eczema and Diseases of the Skin and Scalp, Pimples on the Face, Red Nose, Barber's Itch, \* \* \* Eczema, Psoriasis, Pimples, Tetter \* \* \* Salt Rheum \* \* \* Dandruff, Ivy Poison, Hives, Itching Piles \* \* \* Itch, Barber's Itch, Dermatitis, Herpes, Sycosis," (circular) "To subdue eczema and skin diseases \* \* \* Use D. D. D. the lotion for skin disease," (booklet same as that accompanying ordinary strength, large size), (extra strong, carton) "D. D. D. Remedy for Eczema and Diseases of the Skin \* \* \* for cases of chronic dry eczema and psoriasis confined to the trunk of the body, arms, and legs, which do not respond to treatment with D. D. D. ordinary," (bottle) "D. D. D. prescription for the skin \* \* \* prepared especially for chronic dry eczema and psoriasis," and the same statements in the circular and booklet accompanying the ordinary strength, smaller sizes, were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed for the article.

On April 7, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the article be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7716. Adulteration and misbranding of canned tuna fish. U. S. \* \* \* v. 232 Cases of Canned Tuna Fish. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. Nos. 12132, 12133, 12134. I. S. Nos. 5-r, 7-r, 32-r, 34-r. S. No. E-1942.)**

On February 4, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 232 cases of canned tuna fish, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about October 27, 1919, by the Curtis Corporation, Long Beach, Calif., and transported from the State of California into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Curtis Quality Tuna Supreme Olive Oil \* \* \* Pure Olive Oil \* \* \*."

Adulteration of the article was alleged in the libel in that oils other than olive oil had been mixed and packed with, and substituted in part for, the article.

Misbranding of the article was alleged in that the packages and labels on the cans containing the article bore statements regarding the article and the ingredients and substances contained therein, to wit, "Curtis Quality Tuna Supreme Olive Oil \* \* \*" and "Pure Olive Oil \* \* \*," which were false and misleading and deceived and misled the purchaser. Further misbranding was alleged in the information in that the article was an imitation of, and offered for sale under the distinctive name of, another article.

On June 15, 1920, the Curtis Corporation having appeared as claimant, consent decree of condemnation and forfeiture was entered, and the product was

ordered released to the claimant on the filing of a bond in the sum of \$2,500, conditioned in part that the article be disposed of in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7717. Misbranding of Linonine. U. S. \* \* \* v. 18 Bottles, More or Less, of Linonine. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 12436. I. S. No. 16833-r. S. No. E-2091.)

On May 4, 1920, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 18 bottles of Linonine, remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about February 16, 1920, from Danbury, Conn., consigned by the Kerr Chemical Co., Danbury, Conn., and transported from the State of Connecticut into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of an emulsion composed essentially of linseed oil, oils of cinnamon and eucalyptus, methyl salicylate, and glycerin.

Misbranding of the article was alleged in the libel in that statements borne on the bottle containing the article, regarding the article and the ingredients and substances contained therein, to wit, "Pulmonary diseases, Consumption, Chronic Coughs \* \* \* Chronic Bronchitis, The After Effects of La Grippe, Wasting Diseases, Rickets, Scrofula, Whooping Cough, Rheumatic and Strumous Diseases, General Debility, etc. \* \* \* Linonine is unsurpassed as a strengthener, builder, blood renewer, and for affections of the throat and lungs," were false and fraudulent in that the said article would not produce the curative or therapeutic effects which purchasers were led to expect by the statements which were applied to the article with a knowledge of their falsity for the purpose of defrauding purchasers of the article.

On May 26, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7718. Adulteration of canned salmon. U. S. \* \* \* v. 900 Cases of Canned Salmon. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 12565. I. S. No. 11660-r. S. No. C-1867.)

On March 29, 1920, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 900 cases, each case containing 4 dozen cans of salmon, remaining unsold in the original unbroken packages at Laredo, Tex., alleging that the article had been shipped on or about November 22, 1919, by the Coast Fish Co., Anacortes, Wash., and transported from the State of Washington into the State of Texas, and charging adulteration in violation of the Food and Drugs Act. The product was labeled in part, "Antler Brand Salmon Distributed by Kelley-Clarke Co. \* \* \* Seattle, Wash."

Adulteration of the article was alleged in the libel in that it contained filthy, decomposed, and putrid matter and that being so, the article was made deleterious and was of such decomposition as might render the article injurious.

On May 3, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7719. Adulteration and misbranding of Compound Syrup of the Hypophosphites, Bromo Febrin, Hystoria, and Aromatic Cod Liver Oil Emulsion and misbranding of Red Cross Kidney and Liver Regulator, White Pine and Tar Syrup, and Boro-Thymine. U. S. \* \* \* v. Cal-Sino Co., a Corporation (W. H. Smaw & Co.). Plea of guilty. Fines aggregating \$300 and costs. (F. & D. No. 10893. I. S. Nos. 1742-p, 3567-p, 4856-p, 4857-p, 4858-p, 16026-r, 16027-r.)**

On January 31, 1920, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Cal-Sino Co., a corporation, trading as W. H. Smaw & Co., Baltimore, Md., alleging shipments by said defendant, in violation of the Food and Drugs Act, as amended, on or about March 21, 1918, February 28, 1918, and June 29, 1918, from the State of Maryland into the States of Florida and Georgia, of quantities of articles, labeled in part "Compound Syrup of the Hypophosphites," "Bromo Febrin," "Hystoria," and "Aromatic Cod Liver Oil," which were adulterated and misbranded, and "Red Cross Kidney and Liver Regulator," "White Pine and Tar Syrup," and "Boro-Thymine," which were misbranded.

Analysis of samples of the Compound Syrup of the Hypophosphites by the Bureau of Chemistry of this department showed that it contained no ferric hypophosphites nor glycerin, only traces of hypophosphites of calcium and manganese, and 5.7 grams of quinine per 1,000 mils.

Adulteration of the article was alleged in the information in that it was sold under and by a name recognized in the National Formulary and then and there differed from the standard of strength, quality and purity as determined by the tests laid down in said National Formulary, official at the time of the investigation of the article, in that in 1 liter of the article there was only a trace, if any, of calcium hypophosphite, no ferric hypophosphite, only a trace, if any, of manganese hypophosphite, 5.7 grains of quinine, and no glycerin, whereas said National Formulary provides that the said article should contain 35 grams of calcium hypophosphite, 2.25 grams of ferric hypophosphite, 2.25 grams of manganese hypophosphite, 1.1 grams of quinine and 50 mils of glycerin per liter, and the standard of the strength, quality, and purity of the said article was not declared on the container thereof.

Misbranding of the article was alleged in the information in that it was a product which contained only a trace, if any, of calcium hypophosphite, no ferric hypophosphite, only a trace, if any, of manganese hypophosphite, 5.7 grams of quinine, and no glycerin per liter, prepared in imitation of compound sirup of hypophosphites, a product which contains 35 grams calcium hypophosphite, 1.1 grams quinine and 50 mils of glycerin per liter, and was offered for sale and sold under the name of another article, to wit, compound sirup of the hypophosphites. Misbranding of the article was further alleged in the information in that the labels on the bottles containing the article bore statements which were false and fraudulent in that they were applied to the article knowingly and in a reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof, and create in the minds of purchasers thereof, the impression and belief that the article was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a treatment, remedy, and cure for consumption,



weak lungs, coughs, bronchitis, indigestion, weakness, and all forms of general debility, when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a treatment, remedy or cure for consumption, weak lungs, coughs, bronchitis, indigestion, weakness, or all forms of general debility.

Analysis of a sample of Bromo Febrin by the Bureau of Chemistry of this department showed that the product was labeled as containing 4 grains of acetanilid per powder, whereas it contained about 30 per cent less than this amount and that it contained no bromids or bromin compounds.

Adulteration of the article was alleged in the information in that its strength and purity fell below the professed standard and quality under which it was sold, in that it was sold as a product which contained 4 grains acetanilid per powder, and which contained, to wit, compounds of bromin per powder, whereas, in truth and in fact, each powder contained less than 4 grains of acetanilid and no compounds of bromin.

Misbranding of the article was alleged in the information in that the statements, to wit, "Bromo Febrin" and "Each Powder contains 4 grains Acetanilid," borne on the packages containing the article, regarding the article and the ingredients and substances contained therein, were false and misleading in this, that it represented that said article contained, to wit, compounds of bromin and that each powder contained 4 grains of acetanilid, whereas, in truth and in fact, said article contained no compounds of bromin, and each powder contained less than 4 grains of acetanilid; said article was further misbranded in that it contained acetanilid and the label failed to bear a statement of the quantity or proportion of acetanilid contained therein.

Analysis of a sample of Red Cross Kidney and Liver Regulator by the Bureau of Chemistry of this department showed that the product was a hydro-alcoholic solution, sweetened, and containing as active ingredients potassium acetate, methyl salicylate, eucalyptus, podophyllum, and jaborandi.

Misbranding of the article was alleged in the information in that the statements, designs, and devices on the labels on the bottles containing, and on the cartons enclosing the article, regarding the therapeutic and curative effects of the article, were false and fraudulent, in this, that the same were applied to said article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of purchasers thereof the impression and belief that the article was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a treatment, remedy, and cure for Bright's disease, diabetes, jaundice, headache, intestinal catarrh, chronic catarrh of the liver, kidneys, and bladder, dizziness, pains in the right shoulder or right side, nervousness, and all affections of the kidneys and liver, and effective as a regulator of the kidneys and liver, when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a treatment, remedy, or cure for the diseases named.

Analysis of a sample of Hystoria by the Bureau of Chemistry of this department showed that the product was a sweetened hydro-alcoholic solution containing small amounts of drug plant extractives, traces of alkaloids in amounts too small to identify, and 16.2 per cent of alcohol by volume.

Adulteration of the article was alleged in the information in that the statement, to wit, "Contains 32 per cent Alcohol," borne on the carton enclosing, and on the bottle containing the article, was false and misleading in this that it represented that said article contained 32 per cent of alcohol, whereas, in truth and in fact, it contained less than 32 per cent of alcohol, to wit, 16.2 per

cent of alcohol; said article was further misbranded in that it contained alcohol and the label failed to bear a statement of the amount and proportion of alcohol contained therein.

Misbranding of the article was further alleged in the information in that the statements, designs, and devices on the label of the bottle containing, and on the cartons enclosing the article, regarding the therapeutic and curative effects of the article, were false and fraudulent in this, that the same were applied to said article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that the article was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a treatment, remedy, cure, and preventive for painful, suppressed, or scant menstruation, flooding or hemorrhage of the womb, and all uterine diseases in general, and effective for all the troubles incident to the menstrual period, prolapsus or falling of the womb, pains in the loins and back, leucorrhœa or whites, and effective to strengthen the parts and give ease and comfort during the period of gestation, and effective as a remedy, treatment, and cure for all female weaknesses, inflammation or ulceration of the womb, when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a treatment, remedy, cure, or preventive for the diseases named.

Analysis of a sample of Smaw's Aromatic Extract of Cod Liver Oil Emulsion by the Bureau of Chemistry of this department showed that the product consisted essentially of sugar, aromatics, compounds of phosphorus, calcium, magnesium and iron, plant extractives, indicating extract of wild cherry bark, 12.5 per cent of alcohol by volume, and water. No cod liver oil was present.

Adulteration of the article was alleged in the information in that its strength and purity fell below the professed standard and quality under which it was sold, in that it was a product which contained no cod liver oil and was sold as an article which contained cod liver oil, to wit, aromatic cod liver oil emulsion.

Misbranding of the article was alleged in the information in that the statements "Aromatic Cod Liver Oil Emulsion" and "Contains 17 per cent Alcohol," borne on the labels on the cartons enclosing, and on the bottles containing the article, regarding the article and the ingredients and substances contained therein, were false and misleading in this, that they represented that said article contained cod liver oil, and that said article contained 17 per cent of alcohol, whereas, in truth and in fact, said article contained no cod liver oil, and contained less than 17 per cent of alcohol, to wit, 12.5 per cent of alcohol; said article was further misbranded in that it was a product which contained no cod liver oil, prepared in imitation of cod liver oil emulsion, and was offered for sale and sold under the name of another article, to wit, cod liver oil emulsion; said article was further misbranded in that it contained alcohol and the label failed to bear a statement of the quantity and proportion of alcohol contained therein. Misbranding was further alleged in the information in that the statements on the carton enclosing, and on the label on the bottles containing the article, regarding the therapeutic and curative effects of the article, were false and fraudulent, in this, that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof, and create in the minds of purchasers thereof, the impression and belief that the article was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a treatment, remedy, and cure for consumption and other pulmonary, and scrofulous affections and any disorder attendant upon an impoverished

condition of the blood, and effective as a body builder in cases of deficient nutrition and wasting diseases, when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a treatment, remedy or cure for the diseases named.

Analysis of a sample of White Pine and Tar Syrup by the Bureau of Chemistry of this department showed that the product consisted of a sirup containing ammonium chlorid, plant extractives, with indications of white pine bark and balm of Gilead buds, oil of tar, 5.75 per cent of alcohol by volume, and 2.19 minims of chloroform per fluid ounce.

Misbranding of the article was alleged in the information in that the statement "Each Fluid Ounce Contains 4 minims Chloroform," borne on the carton enclosing, and on the label of the bottle containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in this, that it represented that said article contained in each fluid ounce 4 minims of chloroform, whereas, in truth and in fact, said article did not contain in each fluid ounce 4 minims of chloroform, but did contain a less amount, to wit, 2.19 minims of chloroform per fluid ounce; said article was further misbranded in that it contained chloroform and the label failed to bear a statement of the quantity or proportion of chloroform contained therein. Misbranding was further alleged in the information in that the statements, designs, and devices, appearing on the labels on the cartons enclosing the article, regarding the therapeutic and curative effects of the article, were false and fraudulent, in this, that the same were applied to said article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof, and create in the minds of purchasers thereof, the impression and belief that the article was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a treatment, remedy, and cure for chronic asthma, croup, hoarseness, catarrhal affections of the throat and lungs, and effective as a treatment, remedy, and cure for whooping cough, when, in truth and in fact, said article was not in whole or in part composed of, and did not contain ingredients or medicinal agents effective, among other things, as a treatment, remedy or cure for the diseases named.

Analysis of a sample of Boro-Thymine by the Bureau of Chemistry of this department showed that the product was a hydro-alcoholic solution containing about 2 per cent of boric acid, with small amounts of benzoic acid, methyl salicylate, thymol, menthol, and eucalyptol.

Misbranding of the article was alleged in the information in that the statements, designs, and devices appearing on the labels on the bottles containing the article, regarding the therapeutic and curative effects of the article, were false and fraudulent, in this, that the same were applied to said article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof, and create in the minds of purchasers thereof, the impression and belief that the article was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a treatment, remedy, and cure for scarlet fever, diphtheria, diarrhœa, dysentery, gonorrhœa, leucorrhœa, and membranous catarrhs, when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a treatment, remedy, or cure for the diseases named.



On January 31, 1920, the defendant entered a plea of guilty, and the court imposed fines aggregating \$300 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**7720. Misbranding of Prince's Pills, Prince's Liniment, and Dr. Prince's Tru-Vigor Nerve Tablets. U. S. \* \* \* v. Boston Drug & Chemical Co., a Corporation. Plea of nolo contendere. Fine, \$25. (F. & D. No. 8879. I. S. Nos. 2613-p, 2614-p, 2615-p.)**

On October 10, 1918, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Boston Drug & Chemical Co., a corporation, Boston, Mass., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about August 27, 1917, from the Commonwealth of Massachusetts into the State of Rhode Island, of quantities of articles, labeled in part "Prince's Pills," "Prince's Liniment," and "Dr. Prince's Tru-Vigor Nerve Tablets," which were misbranded.

Analysis of a sample of Prince's Pills by the Bureau of Chemistry of this department showed that the article was a pill composed largely or wholly of rhubarb and aloes, coated with a mixture of calcium carbonate, starch, and sugar, and colored with amaranth.

Misbranding of the article was alleged in substance in the information in that the statements, designs, and devices in the circular accompanying the article, regarding the therapeutic effects of the article, were false and fraudulent, in this, that by means of the said circular, they were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof, and create in the minds of purchasers thereof, the impression and belief that the article was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy, treatment, and cure for suppressed, delayed, scanty, painful, and irregular menstruation, and effective to produce a miscarriage, when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a remedy, treatment, or cure as claimed by the statements for the article.

Analysis of a sample of Prince's Liniment by the Bureau of Chemistry of this department showed that the article was a liniment containing ammonia, camphor, turpentine oil, and a small percentage of alcohol.

Misbranding of the article was alleged in the information in that the statements on the wrapper enclosing, and on the labels of the bottles containing the article, regarding the therapeutic and curative effects of the article, were false and fraudulent, in this, that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof, and create in the minds of purchasers thereof, the impression and belief that the article was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy, treatment, and cure for all pain, rheumatism, neuralgia, diphtheria, sore throat, asthma, sciatica, bronchitis, erysipelas, salt rheum, numbness of the limbs, spasms of the stomach and bowels, all internal and external pains, corns, warts, calloused flesh, piles, fistula, headache, earache, and inflammation, when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal medicines effective, among other things, as a remedy, treatment, or cure, as claimed by the

statements for the article. Misbranding was further alleged in the information in that the statement, to wit, "Prince's Liniment. It is a combination of camphor, wintergreen, capsicum, etc.," borne on the circular aforesaid, regarding the article and the ingredients and substances contained therein, was false and misleading, in this, that it represented that said article contained wintergreen and capsicum, whereas, in truth and in fact, said article contained no wintergreen or capsicum.

Analysis of a sample of Dr. Prince's Tru-Vigor Nerve Tablets by the Bureau of Chemistry of this department showed that they consisted essentially of strychnine and a greenish, acid resin probably from damiana.

Misbranding of the article was alleged in the information in that the statements on the labels on the boxes containing, and in the circular accompanying the article, regarding the therapeutic and curative effects of the article, were false and fraudulent, in this, that the same were applied to said article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof, and create in the minds of purchasers thereof, the impression and belief that the article was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy, treatment, and cure for weakness, nervousness, loss of manhood, sleeplessness, despondency, nervous and sick headache, and all forms of mental and physical debility, all nervous diseases, self abuse, abuse of alcohol or tobacco, overwork, mental or bodily exhaustion, hysteria, impotency, abnormal discharges, diseases of the prostate gland, and weakness or lack of energy in the generative organs, when, in truth and in fact, said article was not in whole or in part composed of, and did not contain ingredients or medicinal agents effective, among other things, as a remedy, treatment, or cure, as claimed by the statements for the article, and that the article was in whole or in part possessed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy, treatment, or cure for varicocele, loss of power, emissions, failing memory, paresis, and all evil effects arising from indiscretions from most any cause, and effective as a preventive of insanity, when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a remedy, treatment or cure, as claimed by the statements for the article.

On October 14, 1919, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

**7721. Misbranding of potatoes. U. S. \* \* \* v. 120 Sacks of Potatoes.**  
**Default decree of condemnation and forfeiture. Product ordered**  
**sold. (F. & D. No. 11267. I. S. No. 7325-r. S. No. C-1473.)**

On September 23, 1919, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the condemnation and forfeiture of 120 sacks of potatoes, consigned on or about August 9, 1919, by Reed & Perrine, Tennent, N. J., remaining unsold in the original unbroken packages at Terre Haute, Ind., and transported from the State of New Jersey into the State of Indiana, in violation of the Food and Drugs Act, as amended. The article was labeled as follows: "Reed & Perrine, Tennent, N. J. U. S. Grade No. 1—150 lbs. Net—When packed."

Misbranding of the article was alleged in the libel for the reason that the article was labeled and branded as aforesaid so as to deceive and mislead the

purchaser thereof into believing that said potatoes in each of said sacks as aforesaid were then and there of the net weight of 150 pounds, when, in fact, said potatoes in each of said sacks did not weigh 150 pounds net. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents of each of said 120 sacks was not plainly and conspicuously marked on the outside of said sacks in terms of weight, measure, or numerical count.

On December 26, 1919, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7722. Adulteration and misbranding of wheat middlings. U. S. \* \* \* v. 340 Sacks of a Product Purporting to be Wheat Middlings. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 12227. I. S. No. 24639-r. S. No. C-1800.)**

On March 5, 1920, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the condemnation and forfeiture of 340 sacks of a product purporting to be wheat middlings, remaining unsold in the original unbroken packages at Rochester, Ind., consigned on or about November 6, 1919, by Larson & Orwell, Reville, S. D., and invoiced by Dixon Cereal & Feed Co., Dixon, Ill., as consignor, and transported from the State of South Dakota into the State of Indiana, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was invoiced as "Wheat Middlings."

Adulteration of the article was alleged in the libel for the reason that reground bran and ground and unground screenings had been mixed and packed with, and substituted in part for, wheat middlings, so as to reduce, lower, and injuriously affect its quality.

Misbranding of the article was alleged for the reason that the article was an imitation of wheat middlings, consisting in part of reground bran and ground and unground screenings, and had been offered for sale under the distinctive name of wheat middlings. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents of said product in each of said sacks was not then and there plainly and conspicuously marked on the outside of said sacks in terms of weight or measure.

On May 13, 1920, William J. Leiter, Rochester, Ind., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon the payment of the costs of the proceedings and the execution of a good and sufficient bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7723. Misbranding of potatoes. U. S. \* \* \* v. 42 Sacks of Potatoes. Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 11401. I. S. No. 7334-r. S. No. C-1523.)**

On October 13, 1919, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the condemnation and forfeiture of 42 sacks of potatoes, remaining unsold in the original unbroken packages at Terre Haute, Ind., consigned on or about September 2, 1919, and received from



Lake & Burns Co., Flensburg, Minn., and transported from the State of Minnesota into the State of Indiana, and charging misbranding under the Food and Drugs Act, as amended.

Misbranding of the article was alleged in the libel for the reason that it was food in package form, and the quantity of the contents of each of said 42 sacks was not then and there plainly and conspicuously marked on the outside of said sacks in terms of weight, measure, or numerical count.

On December 26, 1919, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7724. Misbranding of Zip. U. S. \* \* \* v. 3 Dozen Bottles and 68 Bottles of Zip. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 10408, 10409. I. S. Nos. 7045-r, 7046-r. S. Nos. C-1244, C-1245.)

On May 22, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the condemnation and forfeiture of 3 dozen bottles and 68 bottles of Zip, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about December 28, 1917, and December 24, 1918, by Baker-Levy Chemical Co., Indianapolis, Ind., and transported from the State of Indiana into the State of Missouri, and alleging misbranding under the Food and Drugs Act, as amended.

Analyses of samples of the product made in the Bureau of Chemistry of this department showed that it consisted essentially of acetates and sulphates of zinc and lead, opium, berberine, plant extractives, alcohol, and water.

Misbranding of the article was alleged in substance in the libels for the reason that the statements appearing on the labels and in the circular accompanying the article, regarding the curative and therapeutic effects of the article and of the ingredients and substances contained therein, falsely and fraudulently represented that the article was a treatment, remedy, and cure for gonorrhœa, gleet, and leucorrhœa, for male and female, whereas, in truth and in fact, it was not.

On April 3, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7725. Misbranding of Santal-Midy Capsules. U. S. \* \* \* v. 36 Dozen Bottles \* \* \* Santal-Midy Capsules. Decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 10410. I. S. No. 2172-r. S. No. W-376.)

On May 27, 1919, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the condemnation and forfeiture of 36 dozen bottles of Santal-Midy Capsules, remaining unsold in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped on or about April 5, 1919, by E. Fougere & Co., New York, N. Y., and transported from the State of New York into the State of California, and charging misbranding under the Food and Drugs Act, as amended.

Analysis of a sample of the product made in the Bureau of Chemistry of this department showed that it consisted of gelatin capsules containing santal oil.

Misbranding of the article was alleged in substance in the libel for the reason that the statements appearing on the labels, regarding the curative and therapeutic effects of the article and of the ingredients and substances contained therein, falsely and fraudulently represented that the article was a treatment, remedy, and cure for gonorrhœa, gleet, discharges from the urinary organs, secretion in gonorrhœa in the acute stage, inflammation of the bladder when the bladder walls are inflamed and even when there is hemorrhage, hematuria, suppurative nephritis, catarrh of the bladder, chronic catarrh of the bladder, vesical catarrh of old age, stricture of the urethra and congestion of the prostate, acute cystitis when the urine is colored with blood, and inflammation of the neck of the bladder, elimination of the uric acid indicated by the red deposit in the urine resembling gravel, and urethral catarrh accompanied by cystitis, whereas, in truth and in fact, it was not.

On December 3, 1919, E. Fougere & Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of said proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7726. Misbranding of Cu-co-ba Tarrant. U. S. \* \* \* v. 237 Boxes and 142 Boxes Cu-co-ba Tarrant. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 10399, 10400. I. S. Nos. 12929-r, 12928-r. S. Nos. E-1432, E-1433.)**

On May 21, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 237 boxes and 142 boxes of Cu-co-ba Tarrant, remaining unsold in the original unbroken packages at Boston, Mass., consigned on or about February 4, 1919, February 25, 1919, April 21, 1919, and March 15, 1919, by the Tarrant Co., New York, N. Y., and transported from the State of New York into the State of Massachusetts, and charging misbranding under the Food and Drugs Act, as amended.

Analyses of samples of the product made in the Bureau of Chemistry of this department showed that it consisted essentially of cubebs and copaiba with magnesium oxid.

Misbranding of the article was alleged in substance in the libels for the reason that the statements appearing on the labels and in the circular accompanying the article, regarding the curative and therapeutic effects of the article and of the ingredients and substances contained therein, falsely and fraudulently represented that the article was a treatment, remedy, and cure for excessive and annoying discharges, inflammations and irritations of the bladder, kidneys, prostate, urethra, and vagina, gleet, gonorrhœa and leucorrhœa when uncomplicated with diseases of the uterus or appendages, chronic bronchitis, inflammations of vagina, bladder, and kidneys, irritation of prostate, leucorrhœa or whites, contagious disorder known as gonorrhœa or clap, inflammation of the vagina, and in inflammations of the bladder and kidneys with frequent desire to urinate, whereas, in truth and fact, it was not.

On October 6, 1919, the Tarrant Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the

costs of said proceedings and the execution of bonds in the sums of \$250 and \$200, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7727. Misbranding of Prescription 1000. U. S. \* \* \* v. 10 Bottles of Prescription 1000. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10393, I. S. No. 13953-r. S. No. E-1468.)**

On or about May 31, 1919, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the condemnation and forfeiture of 10 bottles of Prescription 1000, remaining unsold in the original unbroken packages at Albany, N. Y., alleging that the article had been shipped on or about March 22, 1919, by the Reese Chemical Co., Cleveland, Ohio, and transported from the State of Ohio into the State of New York, and charging misbranding under the Food and Drugs Act, as amended.

Analyses of samples of the product made in the Bureau of Chemistry of this department showed that it consisted essentially of a slightly alkaline emulsion of copaiba balsam.

Misbranding of the article was alleged in substance in the libel for the reason that the statements appearing on the cartons and in the circular accompanying the article, regarding the curative and therapeutic effects of the article and of the ingredients and substances contained therein, falsely and fraudulently represented that the article was a treatment, remedy, and cure for gleet, gonorrhœa, bladder troubles, frequent urination, inflammation, obstinate cases of gonorrhœa and gleet, where the patient desires immediate relief, whereas, in truth and in fact, it was not.

On June 21, 1919, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7728. Misbranding of Capitol Hog Remedy. U. S. \* \* \* v. 9 Packages of Capitol Hog Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12431. I. S. No. 16832-r. S. No. E-2087.)**

On May 3, 1920, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 9 bottles of Capitol Hog Remedy, remaining unsold in the original unbroken packages at Nazareth, Pa., alleging that the article had been shipped on or about November 22, 1919, from Tiffin, Ohio, consigned by the Capitol Food Co., Tiffin, Ohio, and transported from the State of Ohio into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of sodium chlorid, sodium carbonate (or bicarbonate), magnesium sulphate, ferrous sulphate, quassia, nuxvomica, charcoal, flaxseed, wormseed, and oil-cake meal.

Misbranding of the article was alleged in the libel in that the statements regarding the curative or therapeutic effects of the article and the ingredients or substances contained therein, to wit, " \* \* \* Capitol Hog Remedy \* \* \* A Superior \* \* \* Remedy for Swine, Recommended for Hog Cholera, Scrofula, Inflammatory and all contagious Diseases peculiar to Swine; purifies



the blood; \* \* \*. Contains such medicines as are actually required to cure and prevent diseases among swine. It is sold on a cash guarantee to cure hog cholera, scrofula and all contagious diseases among swine. Purifies the blood, cures indigestion \* \* \* and produces an extraordinary rapid growth. \* \* \* A wonder in the development of swine. Recommended to cure and prevent diseases, produces an extraordinary rapid growth \* \* \*. Recommended to cure and prevent Hog Cholera and all contagious diseases peculiar to Swine; \* \* \* restores Hogs to a good healthy condition \* \* \*. It will cost you thirty-six cents to feed Capitol Hog Remedy to one Hog regularly for three months, thus insuring no loss whatever from Cholera or any other disease, \* \* \* Swine are very susceptible to scrofula, inflammatory and contagious diseases, commonly known as the Swine Plague (Hog Cholera). \* \* \* Hog cholera once established in a herd runs a very rapid course, death resulting in a very short time. Unless you begin treatment at once you are in constant danger of severe losses, \* \* \*. For Fattening Hogs.—Give one tablespoonful to two or three Hogs or Shoats twice per day. This will keep them free from disease and prepare them for the market in a very short time. \* \* \* For Hog Cholera.—As soon as you notice that Hog Cholera has begun on your herd, \* \* \* give from two or three tablespoonfuls of Capitol Hog Remedy three times a day for each Hog. \* \* \* If already diseased increase at once to three and even four tablespoonfuls \* \* \*. To secure best results, you should procure a supply at once and continue its use once or twice per day regularly; this will net you a price profit, besides keeping your Hogs free from Cholera and all other diseases. \* \* \* Capitol Hog Remedy insures health \* \* \*.” were false and fraudulent, in that the said article would not produce the curative or therapeutic effects which purchasers were led to expect by the statements which were applied to the said article with a knowledge of their falsity for the purpose of defrauding purchasers of the article.

On May 26, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7729. Adulteration of milk. U. S. \* \* \* v. St. Louis Dairy Co., a Corporation.** Plea of *nolo contendere* to count 1 of the indictment. Fine, \$100 and costs. Remaining counts of indictment dismissed. (F. & D. No. 10342. I. S. No. 9326-p.)

On October 9, 1919, the Grand Jurors of the United States of America within and for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned in the District Court of the United States for the district aforesaid an indictment in 7 counts against the St. Louis Dairy Co., a corporation, St. Louis, Mo., charging shipment by said company in the first count of said indictment, in violation of the Food and Drugs Act, on September 10, 1917, from the State of Illinois into the State of Missouri, of a quantity of milk which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained added water, and that it was dirty by the sediment test.

Adulteration of the article was charged in the indictment for the reason that a certain substance, to wit, added water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and for the further reason that a certain substance, to wit, water, had been substi-

tuted in part for milk, which the article purported to be, and for the further reason that the article consisted in whole or in part of a filthy animal substance.

On May 22, 1920, a plea of *nolo contendere* to the first count of the indictment was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs. The remaining counts of the indictment were dismissed.

E. D. BALL, *Acting Secretary of Agriculture.*

**7730. Misbranding of oil. U. S. \* \* \* v. John D. Ravazula and Lyssandros D. Ravazula (Ravazula Bros.). Pleas of guilty. Fine, \$10. (F. & D. No. 12310. I. S. No. 15768-r.)**

On April 27, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John D. Ravazula and Lyssandros D. Ravazula, copartners, trading under the firm name and style of Ravazula Bros., New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on June 30, 1919, from the State of New York into the State of Maryland, of a quantity of an unlabeled article, invoiced as oil, which was misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 5, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$10.

E. D. BALL, *Acting Secretary of Agriculture.*

**7731. Misbranding of Planten's Capsules. U. S. \* \* \* v. 34 Cartons of an Article Labeled in Part, "Planten's Capsules." Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 10443. I. S. No. 2909-r. S. No. W-388.)**

On June 4, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 34 cartons of an article, labeled in part "Planten's Capsules," remaining unsold in the original unbroken packages at Sacramento, Calif., alleging that the product had been shipped on October 31, 1918, by Charles L. Huisking, New York, N. Y., and transported from the State of New York into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Planten's Capsules \* \* \* Brooklyn, N. Y."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the capsules consisted essentially of balsam of copaiba.

Misbranding of the article was alleged in the libel in that the statements in the booklets inclosed in the cartons containing the article, regarding the curative and therapeutic effects of the article, to wit, "General Directions for the use of Planten's Capsules \* \* \* issue 1918 \* \* \* Gonorrhœa \* \* \* Gleet \* \* \* On the first appearance of the discharge, we suggest you take some one of our Capsules \* \* \*. Remember that even after the discharge has stopped, \* \* \* the medicine should never be suddenly stopped, but continued for ten days to ensure thorough healing \* \* \*. Some of Planten's Capsules The following are a few of the many formulas of Capsules manufactured by us and prescribed \* \* \* in the treatment of Gonorrhœa, Gleet, Catarrh of the Bladder, Urethritis. \* \* \* Copaiba Balsam Pure. \* \* \*,"

were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for the article.

On October 11, 1919, H. Planten & Son, Brooklyn, N. Y., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and the product was ordered released to the claimant on payment of the costs of the proceedings and the filing of a bond in the sum of \$100, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7732. Adulteration and misbranding of spring water. U. S. \* \* \* v. 23 Cases of Water. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9983. I. S. No. 7801-r. S. No. C-1135.)**

On March 29, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 23 cases of water, 19 of which contained 24 bottles of water and 4 of which contained 50 bottles of water, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about February 18, 1919, by the West Baden Spring Co., West Baden, Ind., and transported from the State of Indiana into the State of Missouri, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Renders excellent service in all nutritional disturbances such as Gout, Rheumatism, Uric Acid, Diabetes, Obesity, \* \* \* Active Cathartic West Baden Concentrated Spring Water No. 7 Fortified with Magnesium and Sodium Sulphates \* \* \* West Baden Springs Co. West Baden, Ind. U. S. A. Chas. B. Rexford, Pres. \* \* \*."

Adulteration of the article was alleged in the libel in that the article consisted in whole or in large part of a filthy, decomposed, and putrid animal and vegetable substance.

Misbranding of the article was alleged in the libel in that the statements appearing on the label on the bottle containing the article, regarding the curative and therapeutic effects of the article, were false and fraudulent.

On March 24, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7733. Adulteration of canned tomatoes. U. S. \* \* \* v. 50 Cases of Canned Tomatoes. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12543. I. S. No. 17487-r. S. No. E-2036.)**

On April 7, 1920, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 cases of canned tomatoes, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped on or about December 13, 1919, from Norwich, Conn., and transported from the State of Connecticut into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Thomas' Best Brand Tomatoes Contents Weigh 2 lbs. Packed by W. J. Thomas & Co., Evans, W. Va., The Thomas Farm."

Adulteration of the article was alleged in the libel in that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.



On May 21, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7734. Adulteration of milk. U. S. \* \* \* v. Pevely Dairy Co., a Corporation. Plea of nolo contendere to count 1 of the indictment. Fine, \$100 and costs. Remaining counts of indictment dismissed. (F. & D. No. 10403. I. S. No. 9727-p.)**

On October 9, 1919, the Grand Jurors of the United States of America within and for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned an indictment in 6 counts in the District Court of the United States for the district aforesaid, against the Pevely Dairy Co., a corporation, St. Louis, Mo., charging shipment by said company in the first count of said indictment, in violation of the Food and Drugs Act, on September 26, 1917, from the State of Illinois into the State of Missouri, of a quantity of alleged milk which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained added water, that it was dirty by the sediment test, and that *B. coli* were present.

Adulteration of the article was charged in the first count of the indictment for the reason that it consisted in whole or in part of a filthy and decomposed animal substance.

On May 22, 1920, a plea of nolo contendere was entered on behalf of the defendant company to count 1 of the indictment, and the court imposed a fine of \$100 and costs. The remaining counts of the indictment were dismissed.

E. D. BALL, *Acting Secretary of Agriculture.*

**7735. Adulteration and misbranding of condensed milk. U. S. \* \* \* v. John Jacobson. Tried to the court and a jury. Verdict of guilty. Defendant fined \$200. (F. & D. No. 10113. I. S. No. 9266-p.)**

On July 31, 1919, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John Jacobson, Galien, Mich., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about May 24, 1918, from the State of Michigan into the State of Illinois, of a quantity of an article, labeled in part "Regular Condensed Milk," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

	Per cent.
Total solids.....	32.66
Ash.....	2.12
Protein (Nx6.38).....	9.38
Lactose.....	13.34
Fat.....	7.36

Microscopical examination shows a small amount of starch present, probably corn starch. Breed count shows 40,000,000 bacteria per cc.

Adulteration of the article was alleged in the information for the reason that a valuable constituent, to wit, butter fat, had been in part removed, and that a substance, to wit, starch, had been substituted in part for condensed milk in a manner whereby the inferiority of the article was concealed. Adulteration of

the article was alleged for the further reason that it was composed in part of a decomposed animal substance.

Misbranding of the article was alleged for the reason that the statement, to wit, "Regular Condensed Milk," borne on the tag attached to the can containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that said article was regular condensed milk, and was labeled so as to deceive and mislead the purchaser, whereas, in truth and in fact, said article was not regular condensed milk, but was a partially decomposed product deficient in fat with which starch had been mixed and packed. Further misbranding of the article was alleged for the reason that it was a partially decomposed product deficient in fat with which starch had been mixed and packed, and was offered for sale and sold under the distinctive name of another article, to wit, condensed milk.

On December 9, 1919, the case came to trial before a jury on a plea of not guilty, and after submission of evidence and arguments by council a verdict of guilty was returned by the jury for violation of the Food and Drugs Act, and thereupon the court fined said defendant \$200.

E. D. BALL, *Acting Secretary of Agriculture.*

**7736. Misbranding of Knoxit Injection. U. S. \* \* \* v. 123 Bottles and 15 Dozen Bottles of Knoxit Injection. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 10295, 10296. I. S. Nos. 5594-r, 5591-r. S. Nos. C-1214, C-1216.)

On May 17, 1919, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 123 bottles and 15 dozen bottles of Knoxit Injection, remaining unsold in the original unbroken packages at Oklahoma City, Okla., alleging that the article had been shipped on or about October 7, 1918, October 25, 1918, and February 25, 1918, by the Beggs Mfg. Co., Chicago, Ill., and transported from the State of Illinois into the State of Oklahoma, and charging misbranding under the Food and Drugs Act, as amended.

Analysis of a sample of the product made by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution containing zinc acetate, hydrastis, and glycerin, and was perfumed with oil of rose.

Misbranding of the article was alleged in substance in the libels for the reason that the statements appearing on the labels and circular accompanying the article, regarding the curative and therapeutic effects of said drug article and of the ingredients and substances contained therein, falsely and fraudulently represented that the article was a treatment, remedy, and cure for gonorrhœa, leucorrhœa or whites, catarrhal affections of the eye, nose, throat, genito-urinary organs, etc., inflammations, hemorrhoids, ulcers, cankers, and gonorrhœa in women, whereas, in truth and in fact, it was not.

On October 16, 1919, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7737. Misbranding of Injection Malydor. U. S. \* \* \* v. 45 Bottles and 2 Dozen Bottles of Injection Malydor. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 10376, 10377. I. S. Nos. 7895-r, 7897-r. S. Nos. C-1259, C-1260.)

On May 27, 1919, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court

of the United States for said district 2 libels for the seizure and condemnation of 45 bottles and 2 dozen bottles, more or less, of a drug, labeled in part "Injection Malydor," remaining unsold in the original unbroken packages at Indianapolis, Ind., alleging that the article had been shipped on or about May 3, 1919, and March 15, 1919, by the Malydor Mfg. Co., Lancaster, Ohio, and transported from the State of Ohio into the State of Indiana, and charging misbranding under the Food and Drugs Act, as amended.

Analysis of samples of the product made by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of boric acid, phenol, a zinc salt, acetanilid, glycerin, and a trace of unidentified alkaloid.

Misbranding of the article was alleged in substance in the libels for the reason that the statements appearing on the labels and in the circular accompanying the article, with respect to the curative and therapeutic effects of the article, falsely and fraudulently represented that the article was a treatment, remedy, and cure for diseases of the official passages as gonorrhœa, gleet, leucorrhœa, piles, syphilis, chancroids, soft chancres, nasal catarrh, constitutional catarrhal condition, gonorrhœa in women, acute gonorrhœa, and sub-acute or chronic gonorrhœa, whereas, in truth and in fact, it was not.

On January 2, 1920, no claimant having appeared for the property, default decrees of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7738. Misbranding of Cutler's Blood Pure Powders. U. S. \* \* \* v. Chester F. Cutler. Plea of guilty. Fine, \$250 and costs. (F. & D. No. 9782. I. S. No. 11828-p.)**

On or about July 29, 1919, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Chester F. Cutler, Deep River, Iowa, alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about January 10, 1918, from the State of Iowa into the State of Illinois, of a quantity of an article, labeled in part "Cutler's Blood Pure Powders," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the preparation was a gray powder containing large amounts of sulphur and charcoal, together with sand and asafetida.

Misbranding of the article was alleged in substance in the information for the reason that certain statements, regarding the therapeutic and curative effects thereof, appearing on the labels of the boxes containing the article, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for fistula, distemper, farcy, poll evil, and all blood and skin diseases, lump jaw, nasal gleet, epizootic, grease heel, rheumatism, distemper, pink eye, moonblindness, and for all the various blood and skin diseases of equine flesh, when, in truth and in fact, it was not. It was alleged in substance that the article was misbranded for the further reason that certain statements regarding the therapeutic and curative effects thereof, appearing in the circular accompanying said article, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for fistula, farcy, poll evil, moonblindness, nasal gleet, grease heel, and lump jaw of equines, for distemper, and for other blood and skin diseases, for barren mares and cows, for milk fever, caked udder, bloody and stringy milk, and retained afterbirth in cattle, rheumatism, epizootic, mange, and for mange and distemper of dogs, when, in truth and in fact, it was not.



On May 14, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$250 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**7739. Adulteration and misbranding of so-called olive oil. U. S. \* \* \* v. Accursio Dimino. Plea of guilty. Fine, \$75. (F. & D. No. 11973. I. S. No. 13832-r.)**

On April 21, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Accursio Dimino, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on January 27, 1919, from the State of New York into the State of New Jersey, of a quantity of so-called olive oil which was adulterated and misbranded. The article was labeled, "First Pressing Cream Olive Oil One Gallon Full Measure Guaranteed First Pressing Cream Olive Oil. This olive oil is guaranteed to be absolutely pure and is made from the finest selected olives grown on the Italian Riviera. This virgin oil is highly recommended for medicinal and table use. Vergine Questo olio d'oliva, prodotto della riviera ligure, é garantito purissimo. É insuperabile sia per uso medicinale che per tavola."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted almost entirely of cottonseed oil and was short volume.

Adulteration of the article, considered as a drug, was alleged in substance in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia, official at the time of investigation of said article, in that said Pharmacopœia provides that olive oil shall be obtained from the fruit of *olea Europœa*, whereas said article consisted in large part of cottonseed oil, and the standard of its strength, quality, and purity was not declared on the container thereof.

Adulteration of the article, considered as a food, was alleged for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in large part for olive oil, which the article purported to be.

Misbranding was alleged for the reason that the statements, to wit, "Olive Oil," "Absolutely Pure," "Made from the finest selected olives grown on the Italian Riviera," and "One Gallon Full Measure," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was olive oil, that it was a foreign product, to wit, an article produced in the kingdom of Italy, and that each of said cans contained 1 full gallon of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was a foreign product, to wit, an olive oil produced in the kingdom of Italy, and that each of said cans contained 1 full gallon thereof, whereas, in truth and in fact, said article was not olive oil, but was a mixture composed in large part of cottonseed oil; it was not a foreign product, to wit, an olive oil produced in the kingdom of Italy, but was a domestic product, to wit, an article produced in the United States of America; and each of said cans did not contain 1 full gallon of the article, but did contain a less amount; for the further reason that said article was a mixture composed in large part of cottonseed oil prepared in imitation of olive oil, and was offered for sale and sold under the distinctive name of another article, to wit, olive oil;

for the further reason that it was falsely branded as to the country in which it was manufactured and produced in that it was an article manufactured and produced in the United States of America, and was branded as manufactured in the kingdom of Italy; for the further reason that the statements on the cans aforesaid purported said article to be a foreign product, when not so; and for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 28, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$75.

E. D. BALL, *Acting Secretary of Agriculture.*

**7740. Misbranding of Olive Branch. U. S. \* \* \* v. Nellie M. Ellis (Olive Branch Remedy Co.). Plea of guilty. Fine, \$100 and costs. (F. & D. No. 10765. I. S. No. 6397-r.)**

On May 1, 1920, the Grand Jurors of the United States of America within and for the District of Indiana, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned in the District Court of the United States for said district an indictment against Nellie M. Ellis, trading as the Olive Branch Remedy Co., South Bend, Ind., charging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on May 21, 1918, from the State of Indiana into the State of Missouri, of a quantity of an article, labeled in part "Olive (picture of dove) Branch Specific for all Female Diseases Olive Branch Remedy Co. South Bend, Indiana. Proprietors," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of suppositories containing chiefly cacao butter, soap, borax, alum, and a trace of unidentified alkaloid.

Misbranding of the article was charged in the indictment for the reason that certain statements, appearing on the labels of the package and boxes containing the article, in the wrappers with the same, and in the circular accompanying the article, falsely and fraudulently represented it to be effective as a treatment, remedy, cure, and specific for all female diseases, as a treatment, remedy, and cure for dragging periods of pain and sickness, monthly sick headaches, despondency, worn-out, tired feeling of helpless, hopeless existence, and as a treatment, remedy, and cure for ulceration, inflammation, congestion, leucorrhœa, painful, profuse, or scanty menstruation, suppression, laceration, prolapsus, tumors, for pain and soreness in the side, cancerous trouble, congestion of the womb, ovarian trouble, falling of the womb, epileptic fits caused by falling of the womb and ulceration, stomach trouble, liver trouble, ulceration of the womb, and womb disorder, whereas, in truth and in fact, it was not.

On May 17, 1920, the defendant entered a plea of guilty to the indictment, and the court imposed a fine of \$100 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**7741. Adulteration of milk. U. S. \* \* \* v. Jersey Farm Dairy Co., a Corporation. Plea of nolo contendere to count 1 of the indictment. Fine, \$100 and costs. Remaining counts of indictment dismissed. (F. & D. No. 10407. I. S. No. 9726-p.)**

On October 9, 1919, the Grand Jurors of the United States of America within and for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned in the District Court of the United States for said district an indictment

ment in 4 counts against the Jersey Farm Dairy Co., a corporation, St. Louis, Mo., charging shipment by said company in the first count of said indictment, in violation of the Food and Drugs Act, on September 26, 1917, from the State of Illinois into the State of Missouri, of a quantity of milk which was adulterated.

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed the presence of bacteria, that the product was filthy, and that the cans containing it were dirty.

Adulteration of the article was charged in the first count of the indictment for the reason that it consisted in part of a filthy and decomposed animal substance.

On May 22, 1920, a plea of *nolo contendere* to the first count of the indictment was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs. The remaining counts of the indictment were dismissed.

E. D. BALL, *Acting Secretary of Agriculture.*

**7742. Adulteration of oysters. U. S. \* \* \* v. Amelia M. Porth (Porth Oyster Co.). Plea of guilty. Fine, \$10. (F. & D. No. 14964. I. S. Nos. 2449-r, 6326-r.)**

On April 21, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Amelia M. Porth, trading as the Porth Oyster Co., New York, N. Y., alleging shipment by said defendant in violation of the Food and Drugs Act, on January 8, 1919, from the State of New York into the States of California and Illinois, respectively, of quantities of oysters which were adulterated. The article was labeled in part, "W. C. P. Certified Oysters Porth Oyster Company Oyster Cultivators, New York, N. Y."

Examination of samples of the article by the Bureau of Chemistry of this department showed that the oysters had been excessively watered.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower, reduce, and injuriously affect its quality and strength, and had been substituted in part for oysters, which the article purported to be.

On May 5, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10.

E. D. BALL, *Acting Secretary of Agriculture.*

**7743 Adulteration of milk. U. S. \* \* \* v. Union Dairy Co., a Corporation. Plea of *nolo contendere* to count 1 of the indictment. Fine, \$100 and costs. Remaining counts of indictment dismissed. (F. & D. No. 10456. I. S. No. 9714-p.)**

On October 9, 1919, the Grand Jurors of the United States of America within and for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned an indictment in 14 counts in the District Court of the United States for said district against the Union Dairy Co., a corporation, St. Louis, Mo., charging shipment by said company in the first count of said indictment, in violation of the Food and Drugs Act, on September 8, 1917, from the State of Illinois into the State of Missouri, of a quantity of milk which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the presence of added water and insoluble foreign matter (visible dirt).



Adulteration of the article was charged in the first count of the indictment for the reason that a certain substance, to wit, added water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and for the reason that a certain substance, to wit, water, had been substituted in part for milk, which the article purported to be.

On May 22, 1920, a plea of *nolo contendere* to the first count of the indictment was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs. The remaining counts of the indictment were dismissed.

E. D. BALL, *Acting Secretary of Agriculture*.

**7744. Adulteration of milk. U. S. \* \* \* v. Harry E. Grafeman Milk Co., a Corporation. Plea of *nolo contendere*. Fine, \$50 and costs. (F. & D. No. 10338. I. S. No. 10456-p.)**

On October 9, 1919, the Grand Jurors of the United States of America within and for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned an indictment in the District Court of the United States for said district against the Harry E. Grafeman Milk Co., a corporation, St. Louis, Mo., charging shipment by said defendant company, in violation of the Food and Drugs Act, on August 8, 1917, from the State of Illinois into the State of Missouri, of a quantity of milk which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained added water, and that some of the cans containing the article were dirty.

Adulteration of the article was charged in the indictment for the reason that a certain substance, to wit, added water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and for the further reason that a certain substance, to wit, water, had been substituted in part for milk, which the article purported to be, and for the further reason that said article consisted in whole or in part of a filthy animal substance.

On May 22, 1920, a plea of *nolo contendere* was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture*.

**7745. Adulteration of milk. U. S. \* \* \* v. Grafeman Dairy Co., a Corporation. Plea of *nolo contendere* to count 1 of the indictment. Fine, \$100 and costs. Remaining counts of indictment dismissed. (F. & D. No. 10444. I. S. No. 9321-p.)**

On October 9, 1919, the Grand Jurors of the United States of America within and for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned in the District Court of the United States for said district an indictment in 9 counts against the Grafeman Dairy Co., a corporation, St. Louis, Mo., charging shipment by said company in the first count of said indictment, in violation of the Food and Drugs Act, on September 1, 1917, from the State of Illinois into the State of Missouri, of a quantity of milk which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the presence of added water and insoluble foreign matter (dirt).

Adulteration of the article was charged in the first count of the indictment for the reason that a certain substance, to wit, added water, had been mixed and

packed therewith so as to reduce and lower and injuriously affect its quality and strength, and for the further reason that a certain substance, to wit, water, had been substituted in part for milk, which the article purported to be, and for the further reason that said article consisted in whole or in part of a filthy animal substance.

On May 22, 1920, a plea of nolo contendere to the first count of the indictment was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs. The remaining counts of the indictment were dismissed.

E. D. BALL, *Acting Secretary of Agriculture.*

**7746. Misbranding of Valentine's Sarsaparilla Compound with Potassium Iodide U. S. \* \* \* v. Allan Pfeiffer Chemical Co., a Corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 12302. I. S. No. 8845-r.)**

On April 28, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Allan Pfeiffer Chemical Co., a corporation, St. Louis, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about May 31, 1919, from the State of Missouri into the State of Illinois, consigned to Ralph F. Valentine, East St. Louis, Mo., of a quantity of an article, labeled in part "Valentine's Sarsaparilla Compound with Potassium Iodide," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a solution in dilute alcohol of sugar with a small amount of potassium iodid and with extractives from sarsaparilla, gentian, and a laxative vegetable drug.

Misbranding of the article was alleged in substance in the information for the reason that certain statements, appearing on the labels of the bottles and cartons containing the article, falsely and fraudulently represented it to be effective as a blood purifier, as a preventive and treatment, remedy and cure for scrofulous conditions, pimples, eruptions, sores, boils, skin diseases, sallow skin, languid feeling, old sores, tetter, and other skin affections, as a system renovator, as an eliminator of unhealthy conditions, and as a treatment for a bad condition of the blood, when, in truth and in fact, it was not.

On May 17, 1920, a plea of guilty was entered on behalf of said defendant company, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**7747. Misbranding of Mrs. Summers' Absorbent Pile Remedy, Mrs. Summers' Womb, Ovarian & Kidney Tonic & Vitalizer Tablets, and Mrs. Summers' Heart, Brain, and Nerve Pills. U. S. \* \* \* v. Gabriel R. Summers. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 10882. I. S. Nos. 5702-r, 5703-r, 5704-r.)**

On May 1, 1920, the Grand Jurors of the United States within and for the District of Indiana, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned in the District Court of the United States for said district an indictment against Gabriel R. Summers, South Bend, Ind., charging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on July 29, 1918, from the State of Indiana into the State of Illinois, of quantities of articles, labeled in part "\* \* \* From Vanderhoof & Co., South Bend, Ind. \* \* \* Mrs. Summers' Absorbent Pile Remedy," "\* \* \* From Vanderhoof & Co., South

Bend, Ind. \* \* \* Mrs. Summers' Womb, Ovarian & Kidney Tonic & Vitalizer Tablets," and " \* \* \* From Vanderhoof & Co., South Bend, Ind. \* \* \* Mrs. Summers' Heart, Brain, and Nerve Pills," which were misbranded.

Analysis of a sample of the pile remedy by the Bureau of Chemistry of this department showed it consisted of suppositories, containing chiefly cacao butter, borax, alum, tannin, camphor, and small amounts of hydrastine and belladonna.

Misbranding of this article was charged in substance in the indictment for the reason that certain statements, regarding the therapeutic and curative effects thereof, appearing on the labels of the packages containing it, falsely and fraudulently represented it to be effective as a remedy, treatment, and cure for piles, and a treatment, remedy, and cure for bleeding, itching, blind, and protruding piles, when, in truth and in fact, it was not effective as a remedy, treatment, or cure for piles at any stage or of any sort or description.

Analysis of a sample of the womb, ovarian, and kidney tonic and vitalizer tablets by said Bureau showed that they consisted essentially of plant material, a small amount of aromatics like cinnamon and cloves, together with iron oxid and carbonate of lime.

Misbranding of this article was charged in the indictment for the reason that certain statements, regarding the therapeutic and curative effects thereof, appearing on the labels of the small packages or cartons and on the bottles containing it, falsely and fraudulently represented it to be effective as a remedy, treatment, and cure for all diseases affecting the womb, ovaries, and kidneys, and the physical structures peculiar to the organism of women; that said article would act as a vitalizer to all female organs and structures; and that it was effective as a remedy, treatment, and cure for all weaknesses and diseases attending women during pregnancy, nursing, and change of life, and attending girls entering womanhood; and that it was efficacious and reliable under all the conditions above described; that the said article was effective as a remedy, treatment, and cure for all weaknesses and suffering in women from girlhood to old age, and as a treatment, remedy, and cure for irregular, suppressed, or painful menstruation, and for uterine and ovarian congestion, for nervousness and for loss of appetite, strength, and energy, when, in truth and in fact, it was not.

Analysis of a sample of the heart, brain, and nerve pills by said Bureau showed that they consisted essentially of reduced iron, asafetida, valerate of zinc, and nux vomica.

Misbranding of this article was charged in the indictment for the reason that certain statements, regarding the therapeutic and curative effects thereof, appearing on the labels and cartons of the bottles containing it, falsely and fraudulently represented it to be effective as a remedy, treatment, and cure for nervousness, restlessness, insomnia, irritability, and loss of vitality and energy, and that it would produce refreshing sleep, and would rest the nerves, and would give greater vitality and energy, and would relieve tension due to the effects of overwork, late hours, and constitutional ailments, and would give the nerves rest from the effects of overwork, ill health, and late hours, and would build up the nerves if injured by any cause, and that it was effective as a remedy, treatment, and cure for diseases of the heart, brain, and nerves, when, in truth and in fact, it would not produce the effects claimed, and was not so effective.

On May 17, 1920, the defendant entered a plea of guilty to the indictment, and the court imposed a fine of \$100 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*



**7748. Adulteration and misbranding of olive oil, so called. U. S. \* \* \* v. Theodore Economu and Emanuel G. Ritsos (Economu-Ritsos Co.). Pleas of guilty. Fine, \$90. (F. & D. No. 12100. I. S. Nos. 14204-r, 14206-r, 14207-r.)**

On April 21, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Theodore Economu and Emanuel G. Ritsos, trading as Economu-Ritsos Co., New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on May 15, 1919, from the State of New York into the State of New Jersey, and on May 7, 1919, from the State of New York into the State of Connecticut, of quantities of so-called olive oil which was misbranded. The article was labeled, "Olio Sopraffino (design) Victory Brand cottonseed salad oil flavored with pure olive oil a compound," "Net Contents One Quart" or "Net Contents  $\frac{1}{2}$  Gallon" or "Net Contents 1 Gallon," as the case might be, "L'olio contenuto in questa latta, raccomandato specialmente per insalata mayonnaise e per cucinari impaccato secondo la miglior condizione sanitaria, e garantito migliore di tutti. The oil contained in this can is recommended special for salads mayonnaise and cooking, packed under the best sanitary conditions and guaranteed to give perfect satisfaction. Packed by Economu-Ritsos Co., Inc. New York."

Analysis of samples of the article by the Bureau of Chemistry of this department showed that it consisted chiefly of cottonseed oil and that the cans were short volume.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for olive oil, which the article purported to be.

Misbranding was alleged in substance in the information for the reason that the statements, to wit, "Olio Sopraffino," together with the design and device of the Italian flag and olive branches bearing olives, not corrected by the statement in inconspicuous type, "Cottonseed salad oil flavored with pure olive oil," and "Net Contents 1 Quart" or "Net Contents  $\frac{1}{2}$  Gallon," or "Net Contents 1 Gallon," as the case might be, borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was olive oil, that it was a foreign product, to wit, an olive oil produced in the kingdom of Italy, and that each of the cans contained 1 quart net, or  $\frac{1}{2}$  gallon net, or 1 gallon net, as the case might be, of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that said article was olive oil, that it was a foreign product, to wit, an olive oil produced in the kingdom of Italy, and that each of the cans contained 1 quart net, or  $\frac{1}{2}$  gallon net, or 1 gallon net of the article, whereas, in truth and in fact, it was not olive oil, but was a mixture composed in large part of cottonseed oil, it was not a foreign product, to wit, an article produced in the kingdom of Italy, but was a domestic product, to wit, an article produced in the United States of America, and each of said cans did not contain 1 quart net, or  $\frac{1}{2}$  gallon net, or 1 gallon net, of the article, as the case might be, but did contain a less amount; for the further reason that the statements, designs and devices borne on the cans as aforesaid purported said article to be a foreign product when not so; and for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 2, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$90.

E. D. BALL, *Acting Secretary of Agriculture.*

**7749. Adulteration and misbranding of so-called olive oil. U. S. \* \* \* v. Theodosios Sougelas. Plea of guilty. Fine, \$30. (F. & D. No. 11989. I. S. No. 13596-r.)**

On April 27, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Theodosios Sougelas, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on May 15, 1919, from the State of New York into the State of Connecticut, of a quantity of so-called olive oil which was adulterated and misbranded. The article was labeled, "Finest Quality Table Oil Tipo Termini Imerese Cottonseed oil slightly flavored with olive oil Oicilia-Atalia 1 Gallon Net Guaranteed Absolutely Pure."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the oil was essentially soya-bean oil with approximately 10 per cent of cottonseed oil and was also short volume.

Adulteration of the article was alleged in the information for the reason that certain substances, to wit, soya-bean oil and cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for olive oil, which the article purported to be.

Misbranding was alleged for the reason that the statements, to wit, "Finest Quality Table Oil," "Termini Imerese," "Oicilia-Atalia," and "Guaranteed Absolutely Pure," together with the design and device of an olive tree and natives gathering olives, not corrected by the statement in inconspicuous type, "cottonseed oil slightly flavored with olive oil," and "1 Gallon Net," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was olive oil, that it was a foreign product, to wit, an olive oil produced in the kingdom of Italy, and that each of the cans contained 1 gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that said article was olive oil, that it was a foreign product, to wit, an olive oil produced in the kingdom of Italy, and that each of said cans contained 1 gallon net of the article, whereas, in truth and in fact, it was not olive oil, but was a mixture composed in large part of soya-bean oil and cottonseed oil, said article was not a foreign product, to wit, an olive oil produced in the kingdom of Italy, but was a domestic product, to wit, an article produced in the United States of America, and each of said cans did not contain 1 gallon net of the article, but did contain a less amount; for the further reason that the statements on the can aforesaid purported the article to be a foreign product, when not so; and for the further reason that said article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 28, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$30.

E. D. BALL, *Acting Secretary of Agriculture.*

**7750. Adulteration and misbranding of olive oil. U. S. \* \* \* v. Dominano Sclafani and Lorenzo Marinello (D. Sclafani and L. Marinello), Plea of guilty. Fine, \$150. (F. & D. No. 12309. I. S. Nos. 12366-r, 12367-r.)**

On April 21, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Dominano Sclafani and Lorenzo Marinello, copartners, dealing as D. Sclafani and L. Marinello, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on August 12, 1918, from the State of New York into the State of Ohio, of quantities of so-called olive oil which was misbranded. One brand of the oil was labeled, "Cotton Seed Oil Flavored With Olive Oil" (design) "Tipo Termini Imerese Net Contents Full Gallon," and the other brand was labeled "Finest Quality Table Oil" (design) "Tipo Termini Imerese cottonseed oil slightly flavored with olive oil Oicilia-Atalia 1 Gallon Net."

Analysis of a sample of each brand of the article by the Bureau of Chemistry of this department showed that it consisted essentially of cottonseed oil and was short volume.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower, reduce, and injuriously affect its quality, and had been substituted in whole or in part for olive oil, which the article purported to be.

Misbranding of one brand of oil was alleged for the reason that the statements, to wit, "Olive Oil," in conspicuous type, "Tipo Termini Imerese," "Net Contents Full Gallon," not corrected by the statement in small type, "cottonseed oil flavored with," together with the design and device of an olive tree and natives gathering olives, borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was olive oil, and that each of the cans contained 1 gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was olive oil, and that each of the cans contained 1 gallon net of the article, whereas, in truth and in fact, the article was not olive oil, but was a mixture composed in whole or in part of cottonseed oil, and each of said cans did not contain 1 gallon net of the article, but did contain a less amount.

Misbranding of the other brand of oil was alleged for the reason that the statements, to wit, "Finest Quality Table Oil," "Tipo Termini Imerese," "Oicilia-Atalia," together with the design and device of an olive tree and natives gathering olives, not corrected by the statement in inconspicuous type, "cottonseed oil slightly flavored with olive oil," and "One Gallon Net," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was olive oil, that it was a foreign product, to wit, an olive oil produced in the kingdom of Italy, and that each of the cans contained 1 gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was olive oil, that it was a foreign product, to wit, an olive oil produced in the kingdom of Italy, and that each of said cans contained 1 gallon net of the article, whereas, in truth and in fact, the article was not olive oil, but was a mixture composed in large part of cottonseed oil, said product was not a foreign product, to wit, an olive oil produced in the kingdom of Italy, but was a domestic product, to wit, a product produced in the United States of America, and each of said cans did not contain 1 gallon net of



the article, but did contain a less amount; and for the further reason that the statements, designs, and devices aforesaid purported said article to be a foreign product, when not so.

Misbranding of each of the brands of oil was alleged for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 28, 1920, a plea of guilty was entered on behalf of the defendant firm, and the court imposed a fine of \$150.

E. D. BALL, *Acting Secretary of Agriculture.*



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# United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

## SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 7751-7800.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., November 9, 1920.]

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**7751. Adulteration and misbranding of so-called olive oil. U. S. \* \* \* v. Accursio Dimino. Plea of guilty. Fine, \$30. (F. & D. No. 11975. I. S. No. 13831-r.)**

On May 24, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Accursio Dimino, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on January 27, 1919, from the State of New York into the State of New Jersey, of a quantity of so-called olive oil which was adulterated and misbranded. The article was labeled, "Finest Quality Olive Oil Extra Pure" (design of olive tree and natives gathering olives) "of Termini Imerese Italy Sicilia—Italia 1 Gallon Net Guaranteed Absolutely Pure."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a mixture of cottonseed and corn oils, and that the cans were short volume.

Adulteration of the article was alleged in the information for the reason that substances, to wit, cottonseed oil and corn oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in large part for olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Finest Quality Olive Oil Extra Pure of Termini Imerese Italy Sicilia—Italia," "1 Gallon Net," and "Guaranteed Absolutely Pure," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was olive oil, that it was a foreign product, to wit, an article produced in the kingdom of Italy, and that each of said cans contained 1 full gallon of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the article was olive

oil, that it was a foreign product, to wit, an olive oil produced in the kingdom of Italy, and that each of said cans contained 1 full gallon of the article, whereas, in truth and in fact, it was not olive oil, but was a mixture composed in large part of cottonseed oil and corn oil; it was not a foreign product, to wit, an olive oil produced in the kingdom of Italy, but was a domestic product, to wit, an article produced in the United States of America, and each of said cans did not contain 1 full gallon of the article, but did contain a less amount; for the further reason that said article was a mixture composed in large part of cottonseed oil and corn oil prepared in imitation of olive oil, and was offered for sale and sold under the distinctive name of another article, to wit, olive oil; for the further reason that it was falsely branded as to the country in which it was manufactured and produced in that it was an article manufactured and produced in the United States of America, and was branded as manufactured and produced in the kingdom of Italy; for the further reason that the statements on the cans as aforesaid purported said article to be a foreign product, when not so; and for the further reason that the article was food in package form, and the quantity of the contents, was not plainly and conspicuously marked on the outside of the package.

On May 26, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$30.

E. D. BALL, *Acting Secretary of Agriculture.*

**7752. Adulteration and misbranding of so-called olive oil. U. S. \* \* \* v. Accursio Dimino. Plea of guilty. Fine, \$75. (F. & D. No. 11976. I. S. No. 13830-r.)**

On April 21, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Accursio Dimino, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on January 31, 1919, from the State of New York into the State of Pennsylvania, of a quantity of so-called olive oil which was adulterated and misbranded. The article was labeled, "Finest Quality Olive Oil Extra Pure" (design of olive tree and natives gathering olives) "Termini Imerese Italy Sicilia-Italia 1 gallon Net Guaranteed Absolutely Pure."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted almost entirely of cottonseed oil, and that the cans were short volume.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in large part for olive oil, which the article purported to be.

Misbranding was alleged for the reason that the statements, to wit, "Finest Quality Olive Oil Extra Pure of Termini Imerese Italy Sicilia—Italia," "1 Gallon Net," and "Guaranteed Absolutely Pure," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was olive oil, that it was a foreign product, to wit, an article produced in the kingdom of Italy, and that each of said cans contained 1 full gallon of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that said article was olive oil, that it was a foreign product, to wit, an olive oil produced in the kingdom of Italy, and that each of said cans contained 1 full gallon thereof, whereas, in truth and in fact, it was not olive oil, but was a mixture composed in large part of



cottonseed oil; it was not a foreign product, to wit, an olive oil produced in the kingdom of Italy, but was a domestic product, to wit, an article produced in the United States of America, and each of said cans did not contain 1 full gallon of the article, but did contain a less amount; for the further reason that said article was a mixture composed in large part of cottonseed oil prepared in imitation of olive oil, and was offered for sale and sold under the distinctive name of another article, to wit, olive oil; for the further reason that it was falsely branded as to the country in which it was manufactured and produced, in that it was an article manufactured and produced in the United States of America, and was branded as manufactured and produced in the kingdom of Italy; and for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 28, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$75.

E. D. BALL, *Acting Secretary of Agriculture.*

**7753. Adulteration of Techtol U. S. \* \* \* v. 1 50-Gallon Barrel of Techtol. Default decree of condemnation, forfeiture, and destruction.**  
(F. & D. No. 12176. I. S. No. 17415-r. S. No. E-1967.)

On February 16, 1920, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 50-gallon barrel of Techtol, remaining unsold in the original unbroken package at Baltimore, Md., alleging that the article had been shipped by the Economic Materials Co., Chicago, Ill., consigned July 24, 1919, and transported from the State of Illinois into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed it to be a solution of lactic acid containing excessive quantities of arsenic.

Adulteration of the article was alleged in the libel in that the article contained an added poisonous or other added deleterious ingredient, namely, arsenic, which might render the article injurious to health.

On April 7, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7754. Adulteration and misbranding of olive oil. U. S. \* \* \* v. Nickitas P. Economou and Nicholas Theodos (N. P. Economou & Theodos). Plea of guilty. Fine, \$60.** (F. & D. No. 12299. I. S. Nos. 13585-r, 13586-r.)

On April 30, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Nickitas P. Economou and Nicholas Theodos, co-partners, trading as N. P. Economou & Theodos, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on April 24, 1919, from the State of New York into the State of Pennsylvania, of quantities of so-called olive oil which was adulterated and misbranded. One of the brands was labeled, "Finest Quality Table Oil Insuperabile" (device of olive tree with natives gathering olives) "Termini Imerese Type Net Contents One Gallon Cottonseed Oil Slightly Flavored with Olive Oil," and the other brand was labeled, "Net

Contents Full  $\frac{1}{2}$  Gallon Olio Sopraffino Qualita Superiore Olio Finissimo Cotton Seed and Olive Oil a Compound Tripolitania Brand."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it consisted essentially of cottonseed oil and that the cans were short volume.

Adulteration of the article was alleged in substance in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed with the article so as to lower and reduce and injuriously affect its quality, and had been substituted in part for olive oil, which the article purported to be.

Misbranding of the Termini Imerese Type brand was alleged for the reason that the statements, to wit, "Finest Quality Table Oil Insuperabile Termini Imerese Type" and "Net Contents One Gallon," together with the design and device of an olive tree and natives gathering olives, not corrected by the statement in inconspicuous type, in an inconspicuous place, "Cottonseed oil slightly flavored with olive oil," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading, in that they represented that the article was olive oil, and that each of said cans contained 1 gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was olive oil, and that each of said cans contained 1 gallon net of the article, whereas, in truth and in fact, said article was not olive oil, but was a mixture composed in large part of cottonseed oil, and each of said cans did not contain 1 gallon net of the article, but did contain a less amount.

Misbranding of the Tripolitania brand was alleged for the reason that the statement, to wit, "Olio Sopraffino Qualita Superiore Olio Finissimo Olive Oil \* \* \* Tripolitania Brand," in prominent type, together with designs and devices of Italian flags, shields, crowns, and medals, not corrected by the statements in inconspicuous type "Cotton seed \* \* \*" and \* \* \* a Compound \* \* \*," and the statement, to wit, "Net Contents full  $\frac{1}{2}$  Gallon," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was olive oil, that it was a foreign product, to wit, an olive oil produced in the kingdom of Italy, and that each of said cans contained 1 full half-gallon of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was a foreign product, to wit, an olive oil produced in the kingdom of Italy, and that each of said cans contained 1 full half-gallon of the article, whereas, in truth and in fact, it was not olive oil, but was a product composed in part of cottonseed oil; it was not a foreign product, to wit, an olive oil produced in the kingdom of Italy, but was a domestic product, to wit, a product produced in the United States of America, and each of said cans did not contain 1 full half-gallon of the article, but did contain a less amount; for the further reason that it was a product composed in part of cottonseed oil prepared in imitation of olive oil, and was offered for sale and sold under the distinctive name of another article, to wit, olive oil; and for the further reason that the article, by the designs and devices on the label aforesaid, purported to be a foreign product, when not so.

Misbranding of each brand of oil was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On May 12, 1920, a plea of guilty was entered on behalf of the defendant firm, and the court imposed a fine of \$60.

E. D. BALL, *Acting Secretary of Agriculture.*

**7755. Adulteration and misbranding of so-called olive oil. U. S. \* \* \* v. Lyssandros D. Ravazula and Theodore D. Ravazula (Ravazula Bros.). Pleas of guilty. Fine, \$10. (F. & D. No. 12311. I. S. No. 13591-r.)**

On April 30, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Lyssandros D. Ravazula and Theodore D. Ravazula, co-partners, trading under the firm name and style of Ravazula Bros., New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on May 8, 1919, from the State of New York into the State of New Jersey, of quantities of so-called olive oil which was adulterated and misbranded. The article was labeled, "Net Contents  $\frac{1}{2}$  Gal.," or "Net Contents  $\frac{1}{4}$  Gal.," as the case might be, and "Oil Superior Quality" (picture of olive branch) "St. Bertolino Brand Trade Mark Packed by Ravazula Brothers, N. Y. Winter pressed cottonseed salad oil slightly flavored with pure olive oil a compound."

Analysis of samples of the article made by the Bureau of Chemistry of this department showed that the product consisted chiefly of cottonseed oil with some soya-bean oil, and that the cans were short volume.

Adulteration of the article was alleged in the information for the reason that substances, to wit, cottonseed oil and soya-bean oil, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in large part for olive oil, which the article purported to be.

Misbranding was alleged for the reason that the statements, to wit, "Oil Superior Quality Net Contents  $\frac{1}{2}$  Gal." or "Net Contents  $\frac{1}{4}$  Gal.," as the case might be, together with the designs and devices of an olive branch bearing olives, not corrected by the statement in inconspicuous type in an inconspicuous place, "Cottonseed salad oil slightly flavored with pure olive oil," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was olive oil, and that each of said cans contained  $\frac{1}{2}$  gallon or  $\frac{1}{4}$  gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was olive oil, in that each of the cans contained  $\frac{1}{2}$  gallon net or  $\frac{1}{4}$  gallon net of the article, whereas, in truth and in fact, said article was not olive oil, but was a mixture composed in large part of cottonseed oil and soya-bean oil, and each of said cans did not contain  $\frac{1}{2}$  gallon net or  $\frac{1}{4}$  gallon net of the article, but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 5, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$10.

E. D. BALL, *Acting Secretary of Agriculture.*

**7756. Misbranding of olive oil. U. S. \* \* \* v. Lyssandros D. Ravazula and Theodore D. Ravazula (Ravazula Bros.). Pleas of guilty. Fine, \$10. (F. & D. No. 12312. I. S. Nos. 14889-r, 14979-r.)**

On April 27, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Lyssandros D. Ravazula and Theodore D. Ravazula, co-partners, trading under the firm name and style of Ravazula Bros., New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on March 12, and March 29, 1919, from the State of New York into the States



of Pennsylvania and New Jersey, respectively, of quantities of an article, labeled "Prodotti Italiani Olio di Oliva Pure Olive Oil Sopraffino" (design) "Italia Brand Lucca Toscana Italia Net Contents  $\frac{1}{4}$  Gall.," which was misbranded.

Examination of samples of the article by the Bureau of Chemistry of this department showed an average shortage in the cans of one of the shipments of 1.66 fluid ounces, or 5.19 per cent, and in the cans of the other shipment of 1.77 fluid ounces, or 5.53 per cent.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Net contents  $\frac{1}{4}$  Gall.," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that each of the cans contained  $\frac{1}{4}$  gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said cans contained  $\frac{1}{4}$  gallon net of the article, whereas, in truth and in fact, each of said cans did not contain  $\frac{1}{4}$  gallon of the article, but contained a less amount, and for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 5, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$10.

E. D. BALL, *Acting Secretary of Agriculture.*

**7737. Misbranding of olive oil. U. S. \* \* \* v. Harry Arony and George Papitsas (Arony & Papitsas). Pleas of guilty. Fine, \$70. (F. & D. No. 11636. I. S. No. 13593-r.)**

On March 30, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Harry Arony and George Papitsas, trading as Arony & Papitsas, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, from the State of New York into the State of Pennsylvania, of a quantity of olive oil which was misbranded. The article was labeled in part, "One Quart General Diaz Pure Olive Oil Guaranteed Superfine" (design) "Lucca Italy Packed by Arony & Papitsas."

Examination of a sample of the article by the Bureau of Chemistry of this department showed the average contents of 2 cans to be 0.938 quart, or an average shortage of 6.2 per cent.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "One Quart," borne on the cans containing the article, regarding it, was false and misleading in that it represented that each of said cans contained 1 quart of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the said cans contained 1 quart of the article, whereas, in truth and in fact, each of the cans did not contain 1 quart of the article, but contained a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On March 31, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$35 on each defendant, or an aggregate fine of \$70.

E. D. BALL, *Acting Secretary of Agriculture.*

**7758. Adulteration of milk. U. S. \* \* \* v. Home Dairy Co., a Corporation. Plea of nolo contendere to count 1 of the indictment. Fine, \$100 and costs. Remaining counts of indictment dismissed. (F. & D. No. 10401. I. S. No. 9340-p.)**

On October 9, 1919, the grand jurors of the United States of America within and for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned an indictment in 4 counts in the District Court of the United States for the district aforesaid against the Home Dairy Co., a corporation, St. Louis, Mo., charging shipment by said company in the first count of said indictment, in violation of the Food and Drugs Act, on September 11, 1917, from the State of Illinois into the State of Missouri, of a quantity of milk which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product contained added water, and was dirty by the sediment test.

Adulteration of the article was charged in the first count of the indictment for the reason that a certain substance, to wit, added water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and for the further reason that a certain substance, to wit, water, had been substituted in part for milk, which the article purported to be, and for the further reason that the article consisted in whole or in part of a filthy animal substance.

On May 22, 1920, a plea of nolo contendere to the first count of the indictment was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs. The remaining counts of the indictment were dismissed.

E. D. BALL, *Acting Secretary of Agriculture.*

**7759. Adulteration of evaporated milk. U. S. \* \* \* v. United Bakers' Supply Co., a Corporation. Plea of guilty to count 1 of the information. Fine, \$25 and costs. Remaining counts of information dismissed. (F. & D. No. 10759. I. S. No. 6160-r.)**

On September 12, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information in 3 counts against the United Bakers' Supply Co., a corporation, St. Louis, Mo., alleging shipment by said company, in the first count of the information, in violation of the Food and Drugs Act, on or about September 13, 1918, from the State of Missouri into the State of Kansas, of a quantity of an article, labeled in part "'Purity Brand' Evaporated Milk \* \* \* Distributed by United Bakers' Supply Company, Saint Louis," which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that a part of the milk was below standard in solids and fat and a part was below standard in fat.

Adulteration of the article was alleged in the first count of the information for the reason that a certain substance, to wit, a noncondensed milk product, had been substituted in part for evaporated milk, which the article purported to be, and for the further reason that noncondensed milk, containing an insufficient proportion of fat and total solids, had been mixed and packed with the article of food so as to reduce, lower, and injuriously affect its quality and strength.

On April 26, 1920, a plea of guilty to the first count of the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**7760. Adulteration of oranges. U. S. \* \* \* v. 462 Boxes of Oranges. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 10032. I. S. No. 13353-r. S. No. E-1303.)**

On April 10, 1919, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 462 boxes of oranges, consigned by the Gentile Co., Highlands, Calif., remaining unsold in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped on March 28, 1919, and transported from the State of California into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted of a filthy, decomposed, and putrid vegetable substance.

On April 16, 1919, Joseph Gentile Co., Highlands, Calif., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7761. Adulteration and misbranding of rice bran. U. S. \* \* \* v. Karl Adler (Adler Export Co.). Plea of guilty. Fine, \$10. (F. & D. No. 9969. I. S. No. 4250-p.)**

On or about February 3, 1920, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Karl Adler, trading as the Adler Export Co., New Orleans, La., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about December 6, 1917, from the State of Louisiana into the State of Georgia, of a quantity of an article, labeled in part "Rice Bran," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 11.56 per cent of protein and 14.87 per cent of fiber, indicating the presence of added rice hulls.

Adulteration of the article was alleged in the information for the reason that an added substance, to wit, a substance indicating rice hulls, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and had been substituted wholly or in part for rice bran, which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Protein 13.50, Fiber 10.00," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 13.50 per cent of protein and not more than 10 per cent of fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 13.50 per cent of protein and not more than 10 per cent of fiber, whereas, in truth and in fact, it did contain less than 13.50 per cent of protein and more than 10 per cent of fiber.

On May 29, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10.

E. D. BALL, *Acting Secretary of Agriculture.*



**7762.-Misbranding of Dermacilia Eye Remedy and Dermacilia Ointment.**  
U. S. \* \* \* v. Dermacilia Mfg. Co., a Corporation. Plea of guilty.  
Fine, \$100 and costs. (F. & D. No. 9587. I. S. Nos. 10578-p, 10579-p.)

On May 1, 1920, the grand jurors of the United States within and for the District of Indiana, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned in the District Court of the United States for said district an indictment against the Dermacilia Mfg. Co., a corporation, doing business at Hammond, Ind., charging shipment by said company, in violation of the Food and Drugs Act, as amended, on October 12, 1917, from the State of Indiana into the State of Illinois, of a quantity of articles, labeled in part "Dermacilia Eye Remedy" and "Dermacilia Ointment," which were misbranded.

Analysis of a sample of the eye remedy by the Bureau of Chemistry of this department showed that it was a yellow, aqueous solution, containing chiefly boric acid, traces of sulphates of aluminum and zinc, perfumed with oil of rose, with indications of hydrastis.

Misbranding of this article was charged in substance in the indictment for the reason that certain statements, appearing on the label of the carton inclosing the article, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for sore eyes of all forms, red eyes and lids, granulations, discharging eyes, scaly eyes, ulcers on eyes, inflamed eyes, and sore eyes in children, to make weak eyes strong, restore eyelashes, relieve eye pain, and remove floating spots, and as an eye food and tonic, when, in truth and in fact, it was not. Misbranding was charged in substance for the further reason that certain statements, included in the circular which accompanied the article, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for inflamed eyes, red, inflamed eyelids, granulations, discharges, watery eyes, cobwebs or film over the eyes, roughness under upper and lower lids, inflammation of the eye and contiguous membranes, to tone and strengthen the eyes, and to destroy all disease germs which come in contact with the eyes, when, in truth and in fact, it was not so effective.

Analysis of a sample of the ointment showed it to consist essentially of sulphur, boric acid, and tannic acid, with a petrolatum base.

Misbranding of this article was charged in substance in the indictment for the reason that certain statements regarding the therapeutic or curative effects thereof, appearing on the label of the box containing the article, falsely and fraudulently represented it to be effective as a cure for all skin and scalp affections, when, in truth and in fact, it was not. Misbranding was charged in substance for the further reason that certain statements, regarding the therapeutic or curative effects of the article, included in the circular which accompanied it, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for all kinds of eczema, blotchy face, burns, scalds, itching, dog bites, rusty nail punctures, sore feet, dandruff, falling hair, itching piles, sore nipples, and to prevent lockjaw and blood poison, and to kill the many kinds of disease germs that infect the skin, when, in truth and in fact, it was not so effective.

On May 17, 1920, a plea of guilty to the indictment was entered on behalf of the defendant corporation, and the court imposed a fine of \$100 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**7763. Misbranding of Wright's Rheumatic Remedy. U. S. \* \* \* v. The Wright Medicine Co. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 8942. I. S. No. 8123-p.)**

On May 1, 1920, the grand jurors of the United States within and for the District of Indiana, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned in the District Court of the United States for said district an indictment against The Wright Medicine Co., a corporation, doing business at Peru, Ind., charging shipment by said company, in violation of the Food and Drugs Act, as amended, on August 7, 1917, from the State of Indiana into the State of Missouri, of a quantity of an article, labeled in part "Wright's Rheumatic Remedy," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed it to be a yellow solution containing chiefly sugar, oil of turpentine, methyl salicylate, potassium iodid, potassium bicarbonate, ethyl nitrite, oil of juniper, and 5.40 per cent of alcohol by volume.

It was charged in substance in the indictment that the article was misbranded for the reason that certain statements, appearing on the label of the carton containing the article, falsely and fraudulently represented it to be effective as a remedy for rheumatism, sciatica, lumbago, kidney troubles, gallstones, and backache, when, in truth and in fact, it was not. Misbranding was charged for the further reason that the statement, to wit, "Alcohol 12 per ct. in fl. oz.," borne on the carton and label thereof, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained 12 per cent of alcohol to the fluid ounce, whereas, in truth and in fact, it did not, but did contain a less amount, and for the further reason that said article contained alcohol, and the label failed to bear a statement of the quantity or proportion of alcohol contained therein.

On May 17, 1920, a plea of guilty to the indictment was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**7764. Adulteration of Egg O La Egg Powder. U. S. \* \* \* v. Gandolfo-Ghio Mfg. Co., a Corporation. Plea of guilty to count 1 of the information. Fine, \$25 and costs. Count 2 of information dismissed. (F. & D. No. 9655. I. S. No. 12117-p.)**

On September 9, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information in 2 counts against the Gandolfo-Ghio Mfg. Co., a corporation, St. Louis, Mo., alleging shipment by said company in the first count of said information, in violation of the Food and Drugs Act, on or about March 15, 1918, from the State of Missouri into the State of Illinois, of a quantity of an article, labeled in part "Egg O La Egg Powder," which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed it to consist largely of cornstarch artificially colored with Tartrazine.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cornstarch, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for "Egg O La Egg Powder," to wit, an egg substitute composed of powdered egg, which the article purported to be. Adulteration was alleged for the further reason that the product was an article inferior to an egg substitute, that is to say, inferior to an article 1 level teaspoonful of which dissolved in 2 tablespoonfuls of cold water equals one egg, or to an

article that could be used the same as any [other] egg in any recipe which calls for a whole egg, to wit, a mixture composed in part of cornstarch and artificially colored so as to simulate the appearance of a product composed in part of eggs, in a manner whereby its inferiority to a product composed in part of eggs was concealed.

On October 21, 1919, a plea of guilty to the information was entered on behalf of the defendant corporation, and the court imposed a fine of \$25 and costs. The second count of the information was dismissed.

E. D. BALL, *Acting Secretary of Agriculture.*

**7765. Adulteration and misbranding of gelatin. U. S. \* \* \* v. 10 Barrels of Gelatin. Tried to the court. Judgment for the Government. Decree of condemnation and forfeiture. Product ordered released on bond.** (F. & D. No. 10034, I. S. No. 6961-r. S. No. C-1157.)

On April 14, 1919, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 barrels of gelatin, consigned by the W. B. Wood Mfg. Co., St. Louis, Mo., remaining unsold in the original unbroken packages at Enid, Okla., alleging that the article had been shipped on or about September 27, 1918, and transported from the State of Missouri into the State of Oklahoma, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that each barrel contained a food product, and that the food product contained certain substances, to wit, copper and zinc, which had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength. Further adulteration was alleged in that excessive zinc had been substituted in whole or in part for the article, to wit, gelatin. Further adulteration was alleged in that the article was a food product and contained added poisonous and deleterious ingredients, to wit, copper and zinc, which might render said food product injurious to health.

Misbranding of the article was alleged in the libel in that the article was an imitation of, and was offered for sale and was sold under the distinctive name of, another article, to wit, gelatin.

On May 18, 1920, the W. B. Wood Mfg. Co., St. Louis, Mo., and the Enid Ice & Fuel Co. having filed separate answers, the case was tried to the court, and a decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, conditioned in part that the product be sold only for use in mechanical trades as glue.

E. D. BALL, *Acting Secretary of Agriculture.*

**7766. Adulteration of tomato sauce. U. S. \* \* \* v. 112 Cases of Mt. Etna Brand Tomato Sauce. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 11885. I. S. No. 15191-r. S. No. E-1929.)

On January 14, 1920, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 112 cases of Mt. Etna Brand tomato sauce, remaining unsold in the original unbroken packages at Philadelphia, Pa., consigned by Thomas Page, Albion, N. Y., alleging that the article had been shipped on or about October 3, 1919, and transported from the State of New York into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.



Adulteration of the article was alleged in the libel in that the said article consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On February 3, 1920, no claimant having appeared, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7767. Misbranding of Texas Wonder. U. S. \* \* \* v. 143 Bottles of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11875. I. S. No. 9199-r. S. No. C-1678.)**

On January 7, 1920, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 143 bottles of Texas Wonder, remaining unsold in the original unbroken packages at New Orleans, La., alleging that the article had been shipped on or about December 15, 1919, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Louisiana, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, oil of turpentine, rhubarb, guaiac, and alcohol.

Misbranding of the article was alleged in the libel in that the statements on the carton enclosing, and in the circular accompanying the article, regarding the curative and therapeutic effects of the article, to wit, (carton) " \* \* \* A Remedy for Kidney and Bladder Troubles, Weak and Lame Backs, Rheumatism and Gravel. Regulates bladder trouble in children \* \* \*" (small circular headed "Read Carefully Special Direction") " \* \* \* The Texas Wonder! Hall's Great Discovery. \* \* \* In \* \* \* Gravel and Rheumatic troubles it should be taken every night in 25-drop doses until relieved \* \* \*," were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed for the article by the above statements.

On April 8, 1920, no claimant having appeared, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7768. Misbranding of Valesco. U. S. \* \* \* v. 37 Bottles of Valesco. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11851. I. S. No. 8196-r. S. No. C-1668.)**

On December 26, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 37 bottles of Valesco, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on November 1, 1919, by the Alhosan Chemical Co., St. Louis, Mo., and transported from the State of Missouri into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Valesco \* \* \* For the Treatment of Tuberculosis, Asthma \* \* \* Pneumonia and Pulmonary Affections."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of sodium hypophosphite, creosote, and sugar.

Misbranding of the article was alleged in the libel in that the statement on the label on the bottle containing the article, regarding the curative or thera-

peutic effects of the article, to wit, " \* \* \* For the Treatment of Tuberculosis, Asthma \* \* \* Pneumonia and Pulmonary Affections \* \* \* Dosage Tuberculosis Asthma \* \* \* dose first week Pneumonia \* \* \* as gravity of case demands \* \* \*," was false and fraudulent in that the same was applied to the article knowingly and in a reckless and wanton disregard of its truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of, or contained, ingredients or medicinal agents, or combinations of ingredients, effective, among other things, as a remedy for the various diseases, ailments, and affections claimed for the article.

On March 5, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7769. Misbranding of Texas Wonder. U. S. \* \* \* v. 72 Bottles of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11830. I. S. No. 9191-r. S. No. C-1649.)**

On December 31, 1919, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 72 bottles of Texas Wonder, remaining unsold in the original unbroken packages at Birmingham, Ala., alleging that the article had been shipped on or about November 17, 1919, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Alabama, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, oil of turpentine, rhubarb, guaiac, and alcohol.

Misbranding of the article was alleged in the libel in that the statements on the carton enclosing, and on the label on the bottle containing the article, with reference to the therapeutic and curative qualities of the article, to wit, "Texas Wonder, for Kidney and Bladder Troubles, Diabetes, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder trouble in Children," were false and misleading and were false and fraudulent, and the same were known to be false and fraudulent by the manufacturer, shipper, and those thus labeling said article at the time it was so labeled.

On March 22, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7770. Adulteration and misbranding of Pepso-Laxatone. U. S. \* \* \* v. 5 Dozen Bottles of \* \* \* Pepso-Laxatone. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11827. I. S. No. 15342-r. S. No. E-1903.)**

On December 22, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 dozen bottles of Pepso-Laxatone, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Burlingame Chemical Co., Los Angeles, Calif., consigned on or about September 19, 1919, and transported from the State of California into the

State of Maryland, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a laxative plant drug, pepsin, sugar, alcohol, and water. No diastase, pancreatin, or hydrochloric acid was present.

Adulteration of the article was alleged in the libel in that the strength of the article fell below the professed standard or quality under which it was sold in that the product contained no diastase, pancreatin, nor hydrochloric acid.

Misbranding of the article was alleged in the libel in that the statement on the label on the bottle containing the article, "Pepso-Laxatone is a solution of pepsin, diastase, pancreatin," was false and misleading since the product contained no diastase nor pancreatin. The article was further misbranded in that the statement on the label on the bottle containing the article, to wit, "An efficient combination of agents for the permanent relief of \* \* \* Gastric Disorders and Indigestion," was false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the results claimed for it by the above statement.

On February 9, 1920, no claimant having appeared for the product, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7771. Misbranding of Rogers' Liverwort, Tar, and Canchalagua. U. S. \* \* \* v. 10 Bottles of Rogers' Liverwort, Tar, and Canchalagua. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11849. I. S. No. 8539-r. S. No. C-1659.)**

On December 26, 1919, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 bottles of Rogers' Liverwort, Tar, and Canchalagua, remaining unsold in the original unbroken packages at Grand Rapids, Mich., alleging that the article had been shipped March 27, 1919, by the Williams Mfg. Co., Cleveland, Ohio, and transported from the State of Ohio into the State of Michigan, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a sweetened aqueous solution containing small amounts of plant extractives, tar extractives, salicylates, alcohol, and glycerin.

Misbranding of the article was alleged in the libel in that statements on the packages inclosing and on the labels on the bottles containing the article regarding the curative and therapeutic effects of the article and the ingredients and substances contained in the article, to wit, "For \* \* \* relief of \* \* \* Asthma, Bronchitis, Raising Blood and all other Lung Complaints tending to Consumption. \* \* \* designed especially for the permanent relief of those Affections of the Throat, Lungs, and Liver which, if neglected, usually terminate in Consumption \* \* \* continuous exhausting coughing \* \* \* 'my friends were of the opinion that I was a sure victim of galloping consumption. \* \* \*' \* \* \* suffered \* \* \* for \* \* \* years with Chest and Lung troubles, and hemorrhages \* \* \* hemorrhages ceased. \* \* \* medicine infused new life \* \* \*' \* \* \* coughs of long standing \* \* \* For Consumption, Bronchitis, \* \* \* Spitting Blood, Asthma, Whooping Cough, pains in the side and breast and for diseases of the Lungs



generally. For Consumption. \* \* \* for the relief of \* \* \* Influenza, Asthma, Bronchitis, Spitting of Blood and all other Lung Complaints tending to Consumption. \* \* \* for \* \* \* permanent relief of those Affections of the Throat, Lungs, and Liver which, if neglected, usually terminate in Consumption," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed for the article in said statements. Said article was further misbranded in that the article was a sirup containing a small amount of tar and plant extractions, glycerin, alcohol, and salicylate, which had no such curative and therapeutic effects as claimed in the statements for the article.

On January 16, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7772. Adulteration and misbranding of table oil. U. S. \* \* \* v. Anthony J. Musco. Plea of guilty. Fine, \$25.** (F. & D. No. 11796. I. S. No. 15095-r.)

On February 20, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Anthony J. Musco, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about June 20, 1918, from the State of New York into the State of Pennsylvania, of a quantity of an article, labeled in part "Finest Quality Table Oil Insuperabile \* \* \* Termini Imerese Type," which was adulterated and misbranded.

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the product to be largely cottonseed oil and each can to contain less than 1 quart.

Adulteration of the article was alleged in the information in that a substance, to wit, cottonseed oil, had been substituted in part for olive oil, which the article purported to be.

Misbranding of the article was alleged in the information in that the statements, to wit, "Finest Quality Table Oil Insuperabile Termini Imerese," and "Net Contents One Quart," together with the design and device of natives gathering olives from an olive tree, borne on the cans containing the article, regarding the article and the ingredients and substances contained therein, were false and misleading in that they represented that the said article was olive oil, that said article was an olive oil produced in the kingdom of Italy, and that each can contained 1 quart net of the article, whereas, in truth and in fact, the article was not olive oil, but was a mixture composed in large part of cottonseed oil, and the article was not an olive oil produced in the kingdom of Italy, but had been produced in the United States of America, and each can did not contain 1 quart net of the article, but contained a less amount; further misbranding was alleged in that the statements, designs, and devices on the can, as mentioned above, were employed to deceive and mislead the purchaser into the belief that the article was olive oil, and that it was an olive oil produced in the kingdom of Italy, and that each can contained 1 quart net of the article, whereas, in truth and in fact, it was not olive oil, but was a mixture composed in large part of cottonseed oil; it was not an olive oil produced in the kingdom of Italy, but was produced in the United States of America, and each of the cans contained less than 1 quart net of the article. The article was further misbranded in that the statements, designs, and devices above mentioned purported the article to be a foreign product, when it was not. Mis-



branding of the article was further alleged in that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On March 31, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

**7773. Adulteration and misbranding of so-called olive oil. U. S. \* \* \* v. Stelios Zeppos. Plea of guilty. Fine, \$25. (F. & D. No. 12295. I. S. No. 15498-r.)**

On April 21, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Stelios Zeppos, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on April 22, 1919, from the State of New York into the State of Maryland, of a quantity of so-called olive oil which was adulterated and misbranded. The article was labeled, "Olive Oil Extra Quality" (design of woman) "1 Gallon Net."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed it to be composed largely of corn oil, with small amounts of cottonseed and sesame oils. It contained little, if any, olive oil.

Adulteration of the article was alleged in the information for the reason that substances, to wit, corn oil, cottonseed oil, and sesame oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for olive oil, which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Olive Oil," borne on the cans containing the article, regarding it and the substances and ingredients contained therein, was false and misleading in that it represented that the article was olive oil, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was olive oil, whereas, in truth and in fact, it was not olive oil, but was a mixture composed in part of corn oil, cottonseed oil, and sesame oil.

On May 5, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

**7774. Adulteration and misbranding of so-called olive oil. U. S. \* \* \* v. Mario Campolieti. Plea of guilty. Fine, \$30. (F. & D. No. 11967. I. S. No. 2063-r.)**

On April 27, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Mario Campolieti, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on June 28, 1918, from the State of New York into the State of Colorado, of a quantity of so-called olive oil, which was adulterated and misbranded. The article was labeled, "Olio Puro D'Oliiva" (picture of natives gathering olives from olive trees) "Lucca Tipo Italy Net Contents Full Gallon Olio Puro D'Oliiva Garantito Produzione Propria."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was largely cottonseed oil and was also short volume.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as

to lower and reduce and injuriously affect its quality and strength, and had been substituted in large part for olive oil, which the article purported to be.

Misbranding was alleged for the reason that the statements, to wit, "Olio Puro D'Oлива Lucca Tipo Italy," "Olio Puro D'Oлива Garantito Produzione Propria," and "Net Contents Full Gallon," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, and that each of said cans contained 1 full gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, and that each of said cans contained 1 full gallon net of the article, whereas, in truth and in fact, said article was not pure olive oil, but was a mixture composed in part of cottonseed oil; it was not a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, but was a domestic product, to wit, a product produced in the United States of America, and each of said cans did not contain 1 full gallon net of the article, but did contain a less amount; for the further reason that said article was falsely branded as to the country in which it was manufactured and produced in that it was a product manufactured or produced in whole or in part in the United States of America, and was branded as manufactured and produced in the kingdom of Italy; for the further reason that it was a mixture composed in large part of cottonseed oil prepared in imitation of olive oil, and was sold under the distinctive name of another article, to wit, olive oil; for the further reason that the statements on the cans as aforesaid purported that said article was a foreign product when not so; and for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 5, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$30.

E. D. BALL, *Acting Secretary of Agriculture.*

**7775. Adulteration of milk. U. S. \* \* \* v. Grafeman Dairy Co., a Corporation, and John J. Hopson, Co-partners. Plea of nolo contendere to count 1 of the indictment. Fine, \$100 and costs. Remaining counts of indictment dismissed. (F. & D. No. 10450. I. S.-No. 9713-p.)**

On October 9, 1919, the grand jurors of the United States of America within and for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned an indictment in 9 counts in the District Court of the United States for said district against the Grafeman Dairy Co., a corporation, and John J. Hopson, Kaufman, Ill., co-partners, charging shipment by said defendants, in the first count of said indictment, in violation of the Food and Drugs Act, on September 7, 1917, from the State of Illinois into the State of Missouri, of a quantity of milk which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department by the sediment test showed the milk to be dirty.

Adulteration of the article was charged in the indictment for the reason that it consisted in whole or in part of a filthy animal substance.

On May 22, 1920, a plea of nolo contendere to the first count of the indictment was entered on behalf of the defendant corporation, and the court im-

posed a fine of \$100 and costs. The remaining counts of the indictment were dismissed. The indictment was dismissed as to the defendant Hopson whose death occurred prior to the calling of the case for final disposition.

E. D. BALL, *Acting Secretary of Agriculture.*

**7776. Misbranding of Texas Wonder. U. S. \* \* \* v. 3 Dozen Bottles of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12996.)**

On January 5, 1920, the United States attorney for the Northern District of Alabama filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen bottles of Texas Wonder, in the original unbroken packages at Birmingham, Ala., alleging that the article had been shipped by E. Strocker, St. Louis, Mo., on or about December 16, 1919, and transported from the State of Missouri into the State of Alabama, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, oil of turpentine, rhubarb, guaiac, and alcohol.

Misbranding of the article was alleged in the libel for the reason that the statement on the carton or label, to wit, "Texas Wonder, for Kidney and Bladder Troubles, Diabetes, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder trouble in children," with reference to the therapeutic and curative qualities of said drug, was false and misleading and false and fraudulent, and the same was known to be false and fraudulent by the manufacturer, shipper, and those thus labeling said drugs at the time they were so labeled.

On March 22, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7777. Adulteration and misbranding of so-called olive oil. U. S. \* \* \* v. Frank Kakarakis and Gus Kakarakis (Kakarakis Bros.). Plea of guilty. Fine, \$30 and costs. (F. & D. No. 9346. I. S. Nos. 8617-p, 8618-p, 9163-p, 9164-p, 9165-p, 9166-p, 9167-p, 9771-p, 15222-p.)**

On June 28, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Frank Kakarakis and Gus Kakarakis, trading as Kakarakis Bros., Chicago, Ill., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on November 22, 1917, from the State of Illinois into the State of Michigan, on April 15, 1918, April 1, 1918, March 23, 1918, March 28, 1918, and January 25, 1918, from the State of Illinois into the State of Indiana, on January 22, 1918, from the State of Illinois into the State of Ohio, and on April 17, 1918, from the State of Illinois into the State of Iowa, of quantities of so-called olive oil which was adulterated and misbranded. The article was labeled, "One Gallon Net" or "One Quart Net" or "Half Gallon" or "One Pint Net," as the case might be (cut of crown) "Superfine compound with Pure Olive Oil" (picture of man) "King Alexander I. Brand KB Chicago, U. S. A. KB Superfine compound with Pure Olive Oil."

Examination of samples of the article by the Bureau of Chemistry of this department showed that it consisted largely of cottonseed oil, and that the cans containing it were short measure.

Adulteration of the article was alleged in substance in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed



therewith so as to lower and injuriously affect its quality and strength, and had been substituted in part for olive oil, which the article purported to be.

Misbranding was alleged in substance for the reason that the statements, to wit, "Pure Olive Oil" and "One Gallon Net," or "One Quart Net" or "Half Gallon Net" or "One Pint Net," as the case might be, not corrected by the statements in inconspicuous type "compound with," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was pure olive oil, and that each of said cans contained 1 gallon net or 1 quart net or half gallon net or 1 pint net of the article, as the case might be, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure olive oil, and that each of said cans contained 1 gallon net or 1 quart net or half gallon net or 1 pint net of the article, as the case might be, whereas, in truth and in fact, it was not pure olive oil, but was a mixture composed in part of cottonseed oil, and each of said cans did not contain 1 gallon or 1 quart or half gallon or 1 pint of the article, but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On March 23, 1920, a plea of guilty to the information was entered on behalf of the defendant firm, and the court imposed a fine of \$30 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**7778. Adulteration of evaporated milk. U. S. \* \* \* v. Oatman Condensed Milk Co., a Corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 11224. I. S. Nos. 5620-r, 5760-r, 5762-r.)**

On December 31, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Oatman Condensed Milk Co., a corporation, Chicago, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on or about December 3, 1918, from the State of Illinois into the State of Iowa, and on or about November 15, 1918, and December 5, 1918, from the State of Illinois into the State of Missouri, of quantities of evaporated milk which was adulterated.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the same to be partially decomposed.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On March 23, 1920, a plea of guilty to the information was entered on behalf of the defendant corporation, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**7779. Misbranding of olive oil. U. S. \* \* \* v. Jay J. Gerber and Norman Gerber (R. Gerber & Co.). Plea of guilty. Fine, \$20 and costs. (F. & D. No. 11124. I. S. Nos. 2566-r, 2567-r, 2570-r.)**

On December 31, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Jay J. Gerber and Norman Gerber, trading as R. Gerber & Co., Chicago, Ill., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about April 12, 1918, and November 3, 1918, from the State of Illinois into the State of Colorado, of quantities of olive oil which was misbranded. The two brands of the article were labeled in part, respectively, "Ottimo Virgin Olive Oil Contents 1 Gal. Net" or "Contents  $\frac{1}{2}$  Gal. Net" or

"Contents 1 Quart" and "1 Gal. Net" or " $\frac{1}{2}$  Gal. Net" or " $\frac{1}{4}$  Gal. Net" "High Grade Winter Pressed Black Diamond Brand Cotton Seed Salad Oil."

Examination of samples of the article by the Bureau of Chemistry of this department showed that the cans were short volume.

Misbranding of the article was alleged in substance in the information for the reason that the statement appearing on the label of the article, to wit, "Contents 1 Gal. Net" or "Contents  $\frac{1}{2}$  Gal. Net" or "Contents 1 Quart" or "1 Gal. Net" or " $\frac{1}{2}$  Gal. Net" or " $\frac{1}{4}$  Gal. Net," was false and misleading in that it represented to purchasers of the article that each of the cans contained not less than 1 gallon or  $\frac{1}{2}$  gallon or 1 quart of the article, as the case might be, and for the further reason that it was labeled and branded as aforesaid so as to mislead the purchasers into the belief that each can thereof contained not less than 1 gallon,  $\frac{1}{2}$  gallon, or 1 quart of the same, as the case might be, whereas, in fact and in truth, each can contained less than 1 gallon or  $\frac{1}{2}$  gallon or 1 quart thereof. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside thereof in terms of weight, measure, or numerical count.

On March 23, 1920, a plea of guilty to the information was entered on behalf of the defendant firm, and the court imposed a fine of \$20 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**7780. Misbranding of Valesco. U. S. \* \* \* v. 46 Bottles \* \* \* of Drugs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11829. I. S. No. 8549-r. S. No. C-1650.)**

On December 26, 1919, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 46 bottles, more or less, of drugs labeled "Valesco," remaining unsold at Cedar Rapids, Iowa, alleging that the article had been shipped on or about October 26, 1919, by the Alhosan Co., St. Louis, Mo., and transported from the State of Missouri into the State of Iowa, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of sodium hypophosphite, creosote, and sugar.

Misbranding of the article was alleged in substance in the libel for the reason that the following statement regarding its curative and therapeutic effects, appearing on the label, " \* \* \* For the Treatment of Tuberculosis, Asthma, \* \* \* Pneumonia and Pulmonary Affections \* \* \* Dosage \* \* \* as gravity of case demands \* \* \*" was false and fraudulent, since said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On April 9, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7781. Misbranding of Santal Pearls. U. S. \* \* \* v. 69 Bottles and 33 Bottles \* \* \* Santal Pearls \* \* \*. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 10660, 10661. I. S. Nos. 2396-r, 2398-r. S. No. W-432.)**

On June 26, 1919, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemna-

tion of 69 bottles and 33 bottles of drugs labeled in part, "Santal-Pearls, A Compound made from Finest East India Santal Oil \* \* \* Pfeiffer Chemical Co., [S. Pfeiffer Mfg. Co.], St. Louis, Mo.," remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped on May 3, 1919, by the Pfeiffer Chemical Co. [S. Pfeiffer Mfg. Co.], St. Louis, Mo., and transported from the State of Missouri into the State of Oregon, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of gelatin capsules containing essentially a mixture of santal oil and copaiba, flavored with oil of cinnamon.

It was alleged in substance in the libel that the article was misbranded for the reason that certain statements upon the circulars accompanying the article, regarding the curative and therapeutic effects thereof and the ingredients and substances contained therein, falsely and fraudulently represented it to be effective as a treatment, remedy, or cure for gonorrhœa, whereas, in truth and in fact, said drug contained no ingredient or combination of ingredients capable of producing the curative and remedial therapeutic effects claimed therefor upon the labels and in said circulars.

On September 4, 1919, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7782. Adulteration of Madagascar Lima beans. U. S. \* \* \* v. 448 Bags of Madagascar Lima Beans. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 12210. I. S. No. 9269-r. S. No. C-1790.)**

On March 6, 1920, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 448 bags of Madagascar Lima beans, remaining unsold in the original unbroken packages at Oklahoma City, Okla., alleging that the article had been shipped on or about February 13, 1920, by the Bennett Day Co., a corporation, New York, N. Y., from Joplin, Mo., and transported from the State of Missouri into the State of Oklahoma, and charging adulteration in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy and decomposed vegetable substance.

On March 29, 1920, the Bennett Day Co., a corporation, New York, N. Y., having stipulated for judgment and agreed as to the facts in the case, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$4,000, in conformity with section 10 of the act, conditioned in part that the claimant should, under the supervision of a representative of this department, make the proper tests in order to determine what portion of the product should be permitted to be transported in interstate commerce and sold.

E. D. BALL, *Acting Secretary of Agriculture.*

**7783. Adulteration and misbranding of Big G. U. S. \* \* \* v. 11½ Dozen Bottles and 7 Dozen Bottles of Big G. Consent decree of condemnation and forfeiture. Goods released under bond. (F. & D. Nos. 10262, 10263. I. S. Nos. 14985-r, 14987-r. S. Nos. E-1382, E-1383.)**

On May 12 1919, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the



District Court of the United States for said district libels for the seizure and condemnation of 11 $\frac{3}{4}$  dozen bottles of Big G and 7 dozen bottles of Big G, remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that said article had been shipped on or about March 21, 1919, and December 18, 1918, by the Evans Chemical Co., Cincinnati, Ohio, and transported from the State of Ohio into the State of Pennsylvania, in violation of the Food and Drugs Act, as amended. Said article was labeled in part, "Big G, A Compound of Borated Goldenseal" and "Big G, A non-poisonous tonic."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted of a dilute aqueous solution of borax and berberine. Hydrastine was absent.

Adulteration of the article was alleged in both the libels for the reason that it was labeled on the cartons "A Compound of Borated Goldenseal," whereas it contained no borated goldenseal, and its strength and purity fell below the professed standard and quality under which it was sold.

Misbranding of the article was alleged in substance in both the libels for the reason that certain statements regarding the curative and therapeutic effects thereof, appearing on the labels and in the circular accompanying the article, falsely and fraudulently represented that the article was a treatment, remedy, and cure for unnatural discharges of the urinary organs, catarrh, hay fever, and inflamed, ulcerated itching conditions of the skin, and mucous membranes or linings of the mouth, nose, throat, eye, and ear, catarrh, hay fever, and inflammations, irritations, or ulcerations of mucous membranes or linings of the nose, throat, stomach, and urinary organs, catarrh chronic of the head, hay fever, inflammation of the eye, cystitis, gastritis, catarrh of the stomach, hemorrhoids, piles, throat troubles, gonorrhœa, gleet, leucorrhœa, and certain other diseases, whereas, in truth and in fact, it was not.

On December 15, 1919, the Evans Chemical Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500 in each of the seizures, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7784. Misbranding of Novita Remedies. U. S. \* \* \* v. 200 Retail Cartons of Novita Globules, 173 Small and 142 Large Cartons of Novita Capsules, 213 Small and 73 Large Cartons of Novita Salve Stainless, 286 Large and 114 Small Cartons of Novita Salve Brown. Consent decree of condemnation and forfeiture. Goods released under bond. (F. & D. Nos. 10214, 10215, 10216. I. S. Nos. 2683-r, 2684-r, 2685-r, 2679-r. S. Nos. W-322, W-323, W-334.)**

On or about May 13 1919, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of certain packages of Novita Globules, Novita Capsules, Novita Salve Stainless, and Novita Salve Brown, consigned by the Novita Co., Chicago, Ill., and remaining unsold in the original unbroken packages at Denver, Colo., alleging that the articles had been shipped during the months of February, April, June, July, and November, 1918, and February 26, 1919, via the Chicago, Burlington and Quincy Railroad Co., Chicago, Ill., and transported from the State of Illinois into the State of Colorado, and charging misbranding in violation of the Food and Drugs Act, as amended. The articles were labeled in part: "Novita Globules For Kidney and Bladder Troubles. \* \* \* Specific for Kidney and Bladder Troubles. It acts \* \* \* primarily by stimulating the flow of blood in the region of the Kidneys, thereby assisting these organs in their func-

tions of elaborating healthy urine and of purging themselves of all waste and poisonous matter. \* \* \* No remedy has so many marvelous cures to its credit as Novita and none can successfully take its place;" (circular) "Among the beneficial effects of Novita Globules is the revival of activity on the part of the kidneys and bladder when those organs become torpid. The salutary impetus which this promoter of vital energy communicates overcomes their inaction and averts diseases of which that inaction is premonitory. It also frees the system of impurities fatal to health along with that portion of the waste matter or debris thrown off by the blood through the kidneys and bladder. The aggravated forms of kidney disease have a decided tendency to terminate fatally. Among them are Bright's Disease and Diabetes—diseases which contribute largely to the bills of mortality. Their prime cause is the want of healthful vigor and regularity in the organs affected. The weak and ineffectual performance of their functions also causes suppression and retention of the urine and dropsy; all of which tend to wreck the constitution beyond the hope of repair. Therefore, it is manifestly desirable to check their progress at the outset, by toning and regulating the organs to which they work such irreparable mischief if their early symptoms are unheeded. The Novita Globule is admirably calculated to effect this, since the stimulus which it gives to urination is attended with no exciting or inflammatory influences upon the kidneys and bladder, and its invigorating and regulating influence is exerted upon them in common with the stomach, liver and bowels, and is speedily made apparent by a very appreciable improvement in the manner of performing the secretive and evacuation duties imposed upon them by nature. \* \* \*;" "Novita Capsules For diseases of the uterine organs. \* \* \* No remedy has so many marvelous cures to its credit as Novita and none can successfully take its place. \* \* \* A three months' course often effects a cure, but in very stubborn cases, where there are other complications, a longer treatment is required. This box contains enough for three months. A three months' treatment will often cure the most chronic case, but in very stubborn cases, where there are other complications, a long treatment may be required;" (booklet, page 9) "Menstrual derangements Suppressed or irregular menstruation, displacements," (page 10) "Leucorrhœa or 'Whites,' anteversion," (page 13) "All tumors or cancerous formations;" "Novita Salve A nerve and tissue remedy for external use. Stainless. \* \* \*. Use freely wherever there is pain, diseased tissue, and particularly in ovarian tumor and cancerous affections. \* \* \* for eczema, scrofula, and facial eruptions. It is especially valuable in nerve trouble. \* \* \*. A three months' treatment often effects a cure, but in very stubborn cases where there are other complications, a longer treatment is required;" "Novita Salve Stainless Novita Salve A Nerve and Tissue Remedy for external use. No remedy has so many marvelous cures to its credit as Novita, and none can successfully take its place. \* \* \*. Use freely wherever there is pain. It is beneficial wherever there is inflammation, congestion, diseased tissue and particularly in ovarian tumor and cancerous affections. It is also recommended for eczema, scrofula and facial eruptions. In cases of rheumatism, stiffened joints or limbs \* \* \* will \* \* \* bring back vitality and strength to the parts. This salve furnishes nutriment to the body through the medium of the skin;" (on the cartons containing Novita Salve Brown are printed the same statements as above set forth; that is to say, the large cartons of the Novita Salve Brown bear the same statements as the large cartons of the Novita Salve Stainless, and the small cartons of the Novita Salve Brown bear the same statements as the small cartons of Novita Salve Stainless except that on both sizes of cartons wherever the word "Stain-

less" appears in the above alleged statements the word "Brown" appears in the statements on the cartons of Novita Salve Brown); (carton, large and small, both kinds of salve) "All cases of inflammation, congestion, ulceration of the skin, as in salt rheum, eczema, and inflammation of the lungs, as in croup, bronchitis, pneumonia, pleurisy, inflammation of the stomach, liver, kidneys, bladder, bowels and uterine organs. It is especially helpful in cases where the ovaries are diseased, and where the spine or limbs are affected, and whenever there are diseased tissues, foreign matter, stiffening of joints or limbs, and particularly in ovarian tumor, or cancerous affections, or where menstruation is painful. In cases of weakness of the back, or where there is headache or pain, the salve rubbed along the spinal column and at the base of the brain, will bring relief and strength. In every case of ovarian trouble, prolapsus, derangement of menstruation, or whenever the spine is affected, the salve and capsules should both be used. It will also produce a growth of adipose tissue or fat just beneath the skin, making the form plump and round. For rheumatism."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the Novita Globules consisted of sugar-coated pills containing essentially potassium nitrate, podophyllin, oil of juniper, uva ursi, starch, and a plant drug, probably digitalis. The Novita Capsules consisted essentially of a saponifiable base, containing hydrastis and a small amount of tannin. The Novita Salve Stainless consisted essentially of a saponifiable base containing salts of lead and mercury, apparently ammoniated mercury and lead acetate, with a small amount of acetanilid. The Novita Salve Brown consisted of a saponifiable base containing hydrastis and a tannin-bearing drug.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements, regarding the curative and therapeutic effects of the article, were false and fraudulent and misleading in that the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed in said statements.

On April 20, 1920, John B. Danis, and his assignee, Herbert H. Gray, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimants upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7785. Misbranding of Injection Malydor. U. S. \* \* \* v. 9 Bottles of Injection Malydor. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11195. I. S. No. 9419-r. S. No. C-1458.)**

On September 16, 1919, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the condemnation and forfeiture of 9 bottles of Injection Malydor, remaining unsold in the original unbroken packages at Cairo, Ill., alleging that the article had been shipped on or about May 28, 1919, by J. S. Merrill Drug Co., St. Louis, Mo., and transported from the State of Missouri into the State of Illinois, and charging misbranding under the Food and Drugs Act, as amended.

Analysis of a sample of the product made by the Bureau of Chemistry of this department showed that it consisted essentially of a dilute aqueous solution of boric acid, phenol, a zinc salt, acetanilid, and glycerin, with a trace of unidentified alkaloid.

Misbranding of the article was alleged in substance in the libel for the reason that the statements regarding the curative and therapeutic effects thereof, appearing on the labels and in the circular accompanying the article, falsely



and fraudulently represented that the article was a treatment, remedy, and cure for diseases of the orificial passages, as gonorrhœa, gleet, leucorrhœa, piles, syphilis, chancroids, soft chancres, gonorrhœa, and nasal catarrh prevailing at the same time, constitutional catarrhal condition, gonorrhœa in women, acute gonorrhœa, and subacute or chronic gonorrhœa, whereas, in truth and in fact, it was not.

On December 23, 1919, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7786. Misbranding of Madame Dean Suppositories. U. S. \* \* \* v. 30 Boxes \* \* \* Madame Dean Antiseptic Vaginal Suppositories. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11194. I. S. No. 8328-r. S. No. C-1453.)**

On September 15, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 30 boxes of Madame Dean Suppositories, remaining unsold in the original unbroken packages at Cincinnati, Ohio, consigned on or about April 21, 1919, by Martin Rudy, Lancaster, Pa., and transported from the State of Pennsylvania into the State of Ohio, and charging misbranding under the Food and Drugs Act, as amended.

Analysis of a sample of the suppositories by the Bureau of Chemistry of this department showed that they consisted essentially of cacao butter containing a salt of bismuth, alum, boric acid, tannin, and a small amount of unidentified plant tissue.

Misbranding of the article was alleged in substance in the libel for the reason that the statements regarding the curative and therapeutic effects thereof, appearing on the labels and in the circular accompanying the article, falsely and fraudulently represented that the article was a treatment, remedy, and cure for the relief of leucorrhœa or whites, gonorrhœa, inflammation, congestion, ulceration, and similar female complaints, vaginitis, vulvitis, gonorrhœal inflammation, leucorrhœal discharge, and similar female complaints, whereas, in truth and in fact, it was not.

On March 10, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7787. Adulteration and misbranding of cocoa. U. S. \* \* \* v. 89 Pounds of Alleged Cocoa. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11164. I. S. No. 6774-r. S. No. C-1445.)**

On September 5, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 89 pounds of alleged cocoa, remaining unsold in the original unbroken packages at Joliet, Ill., alleging that the article had been shipped on or about March 14, 1919, by the National Cocoa Mills, New York, N. Y., and transported from the State of New York into the State of Illinois, alleging adulteration and misbranding under the Food and Drugs Act. The article was labeled in part: "My Own Pure Cocoa Net weight one-half pound" (or "one-fifth pound" as case may be) "The cocoa contained in this package is positively high grade and guaranteed by the manufacturers to comply with all Federal and State food laws. It is a breakfast cocoa of superior quality and excel-

lence. Absolutely pure. No alkalis. No chemicals" (inconspicuously stamped on side panel) " "My own cocoa compound containing corn starch, cocoa, sugar."

Adulteration of the article was alleged in the libel for the reason that starch and sugar had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for genuine cocoa, which the article purported to be. Adulteration of the article was alleged for the further reason that the said article of food was mixed in a manner whereby damage and inferiority were concealed.

Misbranding of the article was alleged for the reason that the statement "My Own Pure Cocoa" was not sufficiently corrected by the inconspicuous statement "My own cocoa compound containing corn starch, cocoa, sugar." Misbranding of the article was alleged for the further reason that the statements on the label aforesaid deceived and misled the purchaser into the belief that the article of food was pure cocoa, whereas, in truth and in fact, it was not pure cocoa, but starch and sugar had been mixed and packed with it so as to reduce, lower, and injuriously affect its quality and strength, and for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, genuine cocoa.

On March 5, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7788. Misbranding of Lung Vita. U. S. \* \* \* v. 21 Large Bottles and 33 Small Bottles of Lung Vita and 15 Bottles of Lung Vita. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 11156, 11157. I. S. Nos. 6794-r, 6795-r. S. Nos. C-1441, C-1442.)

On October 11, 1919, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the condemnation and forfeiture of 21 large bottles and 33 small bottles of Lung Vita, and 15 bottles of Lung Vita, remaining unsold in the original unbroken packages at Birmingham, Ala., alleging that the article had been shipped on or about August 26, 1919, and September 2, 1919, by Nashville Medicine Co., Nashville, Tenn., and transported from the State of Tennessee into the State of Alabama, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "Lung Vita for Consumption and Bronchial Asthma \* \* \*"; (bottle) "Lung Vita for Consumption and Bronchial Asthma \* \* \* In cases of lung trouble \* \* \* Lung-Vita may also be used for coughs, colds, bronchial troubles and whooping cough \* \* \*"; (circular) "Lung-Vita \* \* \* Consumption and Lung Troubles \* \* \* Take your medicine regularly \* \* \* Bronchial asthma \* \* \* Colds, Coughs, Whooping Cough, Grip, Croup and Bronchial Troubles \* \* \* take the medicine according to directions on the bottle, \* \* \*."

Analysis of a sample of the product made by the Bureau of Chemistry of this department showed that it consisted essentially of kerosene, vegetable oils, sugar, glycerin, alcohol, and a small amount of plant extractives.

Misbranding of the article was alleged in substance in the libel for the reason that the foregoing statements, regarding the curative and therapeutic effects of the article, were false and fraudulent, as the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On March 22, 1920, no claimant having appeared for the property, default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7789. Misbranding of Lung Vita. U. S. \* \* \* v. 8 Dozen Small and 2 Dozen Large Packages and 2 Dozen Large and 3 Dozen Small Packages of Lung Vita. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 11152, 11153. I. S. Nos. 7317-r, 7318-r. S. Nos. C-1437, C-1438.)

On September 3 and 4, 1919, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 8 dozen small and 2 dozen large packages and 2 dozen large and 3 dozen small packages of Lung Vita, remaining unsold in the original unbroken packages at Louisville, Ky., consigned on or about February 11, 1919, and June 10, 1919, by the Nashville Medicine Co., Nashville, Tenn., and transported from the State of Tennessee into the State of Kentucky, and charging misbranding under the Food and Drugs Act as amended. The article was labeled in part: (Carton) "Lung-Vita for Consumption and Bronchial Asthma Directions \* \* \* Alcohol 5% Shake well before taking Price 1.00 This bottle contains 4 fluid ounces Nashville Medicine Company Nashville, Tenn. \* \* \*;" (bottle) "Lung Vita for Consumption and Bronchial Asthma \* \* \* In cases of lung trouble \* \* \* Lung-Vita may also be used for coughs, colds, bronchial troubles and whooping cough. \* \* \*;" (circular) "Lung-Vita \* \* \* Consumption and Lung Troubles \* \* \* Take your medicine regularly \* \* \* Bronchial Asthma \* \* \* Colds \* \* \* Whooping Cough, Grip, Croup and Bronchial Troubles \* \* \* take the medicine according to directions on the bottle, \* \* \*."

Analyses of samples of the product made by the Bureau of Chemistry of this department showed that it consisted essentially of kerosene, a vegetable oil, sugar, glycerin, alcohol, and a small amount of plant extractives.

Misbranding of the article was alleged in the libel for the reason that the packages, labels on the bottles, and the circulars bore and contained false and fraudulent statements, designs, and devices regarding the curative and therapeutic effects of said drug, as said drug contained no ingredient or combination of ingredients capable of producing the effects claimed for it in that they claimed that Lung Vita is for consumption and bronchial asthma, lung trouble, coughs, colds, bronchial trouble, whooping cough, grip, and croup.

On January 15, 1920, no claimant having appeared for the property, decrees of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7790. Misbranding of Brazilian Balm. U. S. \* \* \* v. a Number of Bottles of Brazilian Balm (5 Seizures). Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 12528, 12544, 12545, 12546, 12547. I. S. Nos. 14620-r, 14630-r, 14631-r, 15245-r, 15246-r, 12547-r, 12548-r, 15983-r, 15984-r, 15985-r, 15986-r, 15992-r, 15993-r. S. Nos. E-2080, E-2031, E-2032, E-2029, E-2042.)

On March 23, 1920, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 54 bottles (\$1 size), 358 bottles (50-cent size), 1,325 bottles (25-cent size), and 324 bottles (10-cent size) of Brazilian Balm, remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about April 29, 1919, February 10, 1920, February 16, 1920, March 8, 1920, and November 8, 1918, by B. F. Jackson & Co., Arcade, N. Y., and transported from the State of New York into the State of Pennsylvania, in violation of the Food and Drugs Act, as amended.



The article was labeled in part: (Bottle, \$1 size) “\* \* \* Grip, Croup, Throat and Lung Troubles, Catarrh, Asthma, Bronchitis, and Fevers \* \* \* Mumps, \* \* \* Constipation, Piles and all inflammatory conditions. \* \* \*,” (small circular) “\* \* \* Grippe, Catarrh \* \* \* Inflammation of the Lungs \* \* \* Pneumonia \* \* \* Spanish Influenza \* \* \* Whooping Cough \* \* \* Asthma \* \* \*,” (additional small circular) “\* \* \* Croup, Pleurisy, Bronchitis, Sore Throat, Sore Lungs, Catarrh, Asthma, and outwardly for Constipation, \* \* \* Mumps \* \* \* Lamé Back \* \* \* Grip—Measles. \* \* \* hemorrhage of the lungs \* \* \* Fevers \* \* \* Typhoid and Pneumonia \* \* \*,” (large circular) “\* \* \* Croup, Grip, Sore Throat, Bronchitis, Fevers, \* \* \* Asthma and Catarrh \* \* \* Pneumonia \* \* \* Spanish Influenza \* \* \* Hay Fever \* \* \* Systemic Catarrh \* \* \* Mumps \* \* \* typhoid fever \* \* \* congestion of the lungs, laryngitis and heart failure \* \* \* blood poison \* \* \* Catarrh of Bowels \* \* \* Sick Headache \* \* \* Serious Female Troubles \* \* \* Quick Consumption \* \* \* Pleurisy Quickly Cured \* \* \* Typhoid and Pneumonia Cured \* \* \* Kidney Trouble \* \* \* swellings;” (additional large circular) “\* \* \* La Grippe, Croup, Bronchitis, Pleurisy, Sore Throat, Catarrh, Asthma, Pneumonia, etc., \* \* \* blood poison \* \* \* Spanish Influenza \* \* \* Hay Fever \* \* \* Bloating \* \* \* Bleeding Lungs, Stomach, Bowels \* \* \* Bleeding Uterus \* \* \* Catarrh of Lungs \* \* \* Catarrh of Uterus \* \* \* Constipation \* \* \* Contagious Diseases \* \* \* Fevers \* \* \* Hemorrhage \* \* \* Hemorrhoids \* \* \* Blood Poison \* \* \* Leucorrhoea or Whites \* \* \* Measles \* \* \* Mumps \* \* \* Neuralgia \* \* \* Piles \* \* \* Prophylactic \* \* \* Quinsy \* \* \* Scarlet Fever \* \* \* Sore Throat—Tonsilitis \* \* \* Tuberculosis \* \* \* Typhoid \* \* \* Whooping Cough \* \* \*,” (wrapper) “\* \* \* La Grippe, Croup, Catarrh, Asthma, Pleurisy, Hay Fever, Blood Poison, All Fevers, Contagious Diseases \* \* \* Sore Throat, \* \* \* Bronchitis;” (bottle, 50-cent size) “\* \* \* Croup, Throat and Lung Troubles, Catarrh in head, stomach, bowels, etc. \* \* \* Asthma, \* \* \* Grip, Pleurisy, Inflammation and Hemorrhage of Lungs, Stomach, Bowels, Wounds, Etc., Wonderful in Fevers \* \* \* prevents lock-jaw, \* \* \* running ears, inflamed eyes, \* \* \* swellings as in mumps, sore throat, \* \* \* Bloating in typhoid \* \* \*,” (wrapper) “La Grippe, Croup, Catarrh, Asthma, Pleurisy, Fevers, \* \* \* Sore Throat, Bronchitis, \* \* \* Inflammations, Lung Troubles;” (bottle, 25-cent size) “\* \* \* Grip, Croup, Throat and Lung Troubles, Catarrh, Asthma, Bronchitis, and Fevers \* \* \* mumps, \* \* \* constipation, piles and all inflammatory conditions. \* \* \*,” (wrapper) “\* \* \* La Grippe, Croup, Fevers, \* \* \* Catarrh \* \* \* Sore Throat, Bronchitis, Asthma, Catarrh of head and system, Pneumonia, Fevers, Inflammation and many lung troubles. \* \* \*,” (small circular) “\* \* \* Croup, Pleurisy, Bronchitis, Sore Throat, Sore Lungs, Catarrh, Asthma, and outwardly for Constipation \* \* \* Mumps \* \* \* Lamé Back \* \* \* Grip—Measles \* \* \* hemorrhage of the lungs \* \* \* Fevers \* \* \* Typhoid and Pneumonia \* \* \* Systemic Catarrh \* \* \* Inflammation of Bowels \* \* \*,” (bottle, 10-cent size) “\* \* \* Grip \* \* \* Croup, \* \* \* Sore Throat, Catarrh, Asthma, Inflammations and Fevers. \* \* \* Constipation and Piles Inject for Female Troubles. \* \* \* Swellings \* \* \*,” (wrapper) “\* \* \* Grip \* \* \* Croup \* \* \* Sore Throat, Bronchitis, Catarrh, Asthma, Fevers, Inflammations, Lung Troubles, etc. \* \* \* swellings \* \* \*,” (large circular) “\* \* \* Croup, Grip, Sore Throat, Bronchitis,

Fevers, Cold in Chest or Back—for Asthma and Catarrh \* \* \* Grip and Pneumonia \* \* \* Hay Fever \* \* \* Systemic Catarrh \* \* \* Croup \* \* \* Sore Throat \* \* \* Earache \* \* \* Inflammation of Bowels—Bad Burns \* \* \* Quick Consumption \* \* \* Brazilian Balm is one of the best Antiseptic dressings for fresh wounds known to science. \* \* \* Contagious Diseases. \* \* \* diphtheria, scarlet fever or small pox \* \* \*,” (small circular) “\* \* \* Grip, \* \* \* Inflammation of the Lungs \* \* \* Pneumonia \* \* \* Quick Consumption \* \* \* Croup \* \* \* Measles \* \* \* hemorrhage of the lungs \* \* \* Catarrh—Fevers. \* \* \* Typhoid \* \* \* Systemic Catarrh \* \* \* Inflammation of Bowels—Bad Burns \* \* \*,” (counter display carton) “\* \* \* Croup \* \* \* Fresh Cold—over night, Coughs—most obdurate. Sore throat—quinsy. Weak lungs—makes sound. Grip—kills the germs. Asthma \* \* \* Catarrh—head and system. Pleurisy \* \* \* Reliable Germicide For Typhoid, Rheumatism, Quick Consumption. Pneumonia, Prevents and Cures Contagious Diseases \* \* \* Swellings, Ear Ache, Pink Eye \* \* \* Instantly Relieves Blood Poison from Wounds. \* \* \*,” (additional small circular) “\* \* \* Croup, Pleurisy, Bronchitis, Sore Throat, Sore Lungs, Catarrh, Asthma, and outwardly for Constipation \* \* \* mumps \* \* \* lame back \* \* \* grip, measles \* \* \* hemorrhage of the lungs \* \* \* Fevers \* \* \* Typhoid and Pneumonia \* \* \* Systemic Catarrh \* \* \* Inflammation of Bowels \* \* \*,” (folder) “\* \* \* Quick Consumption \* \* \* Pneumonia \* \* \* diphtheria \* \* \* Croup \* \* \* Catarrh—Fevers. \* \* \* Systemic Catarrh. \* \* \* deep-seated bronchial cough \* \* \* coughing at night \* \* \* earache \* \* \* discharges from the ears \* \* \* Mumps \* \* \* Measles \* \* \* Chicken-pox \* \* \* Scarlet Fever \* \* \* Typhoid \* \* \* Germicide \* \* \* Whooping Cough \* \* \* Scrofula \* \* \* Smallpox \* \* \* hemorrhage of bowels; kills the germs. \* \* \* Contagious Diseases \* \* \* lockjaw, \* \* \* gangrene \* \* \* Blood Poison \* \* \*.”

Analyses of samples of the product by the Bureau of Chemistry of this department showed that it consisted essentially of hydrastis, plant extractives, methyl salicylate, sugar, alcohol, and water.

Misbranding of the article was alleged in the libels in that the above-quoted labels and circulars contained statements, regarding the therapeutic and curative effects of the article and the ingredients or substances contained therein, which were false and fraudulent in that the said article would not produce the therapeutic or curative effects which purchasers were led to expect by the afore-said statements, and which were applied to the said article with a knowledge of their falsity for the purpose of defrauding purchasers thereof.

On April 30, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7791. Misbranding of Blue Grass Hog Remedy. U. S. \* \* \* v. \* \* \* of \* \* \* Blue Grass Hog Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10102. I. S. No. 7883-r. S. No. C-1174.)**

On May 2, 1919, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 9 packages of a product, labeled in part “Blue Grass Hog Remedy,” remaining in the original unbroken packages at Danville, Ind., alleging that the article had been shipped about November 12, 1918, by the Bourbon Remedy Co., Lexington,

Ky., and transported from the State of Kentucky into the State of Indiana, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled: (Carton) "The Famous Blue Grass Hog Remedy Health to Hogs Bourbon Hog Cholera Remedy Makes Hog Raising Easy For Cholera, Worms, Scours, Cough, Thumps \* \* \* Treatment In Treating Hogs for Cholera with this medicine the instructions as to care of sick animals and doses to be given should be followed very carefully. \* \* \* Bourbon Remedy Company. \* \* \* Lexington, Kentucky. \* \* \* Caution This package contains enough medicine to treat \* \* \* cholera infested hogs for a sufficient length of time to effect a cure;" (circular) "Bourbon Hog Cholera Remedy \* \* \*" (discussion of cause of cholera) "Nature's Defense \* \* \*" (special instructions, other diseases and testimonials).

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution, containing free sulphuric acid, copper sulphate, ferrous sulphate, magnesium sulphate, emodin (indicating aloes), oil of sassafras or saffron, and a red coal-tar coloring matter.

It was alleged in the libel that the aforesaid marks and brands, consisting of said statements above quoted, were false and fraudulent in regard to the curative and therapeutic effect of the product, and therefore said packages containing said product were each misbranded.

On January 2, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and on February 24, 1920, it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7792. Misbranding of olive oil. U. S. \* \* \* v. 65 Gallons of Olive Oil. Consent decree of condemnation and forfeiture. Product ordered released on bond.** (F. & D. Nos. 10326, 10327. I. S. Nos. 16196-r, 16197-r. S. No. E-1394.)

On May 26, 1919, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 65 gallons, more or less, of olive oil, contained in 170 tins of different sizes, at Tampa, Fla., consigned by N. S. Monahos & Co., New York, N. Y., alleging that the articles had been shipped on or about April 9, 1919, and transported from the State of New York into the State of Florida, and charging misbranding in violation of the Food and Drugs Act, as amended. Some of the containers were labeled, "Extra Fine Imported Olive Oil Lucca" (design of battleship) "Lemmas Brand Olio di Oliva Puro Net Contents One Gallon" or "One-half Gallon" or "One-quarter Gallon" \* \* \* "N. S. Monahos Importer and Packer, New York \* \* \*," and the remainder of the containers were labeled, "Monahos Olio di Oliva Puro Termini Imerese" (design of medals) "Extra Fine Pure Olive Oil Net Contents One Gallon" or "One-half Gallon" or "One Quart" \* \* \* "N. S. Monahos Importer and Packer, New York."

Misbranding of the article was alleged in the libel for the reason that the contents of said tins containing the olive oil were not plainly and conspicuously marked on the outside of said packages in terms of weight, measure, or numerical count, in this, to wit, that said tins were labeled as containing 1 gallon,  $\frac{1}{2}$  gallon,  $\frac{1}{4}$  gallon, or 1 quart, whereas, in truth and in fact, said packages contained from 3 to 5 per cent less than the quantity marked on said packages.

On July 2, 1919, J. B. Nuccio, Ybor City, Fla., claimant, having filed his answer admitting the allegations of the libel but claiming that the misbranding



was through no knowledge or fault of his and that he was ignorant thereof, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon payment of all the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act, conditioned in part that if the product should be sold or disposed of in any form the branding thereof should describe the same accurately and correctly.

E. D. BALL, *Acting Secretary of Agriculture.*

**7793. Misbranding of Planten's C & C or Black Capsules. U. S. \* \* \* v. 313 Cartons \* \* \* Planten's C & C or Black Capsules \* \* \*, Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 10448. I. S. No. 2908-r. S. No. W-385.)**

On June 4, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 313 cartons of Planten's C & C or Black Capsules, at Sacramento, Calif., alleging that the article had been shipped on October 31, 1918, by H. Planten & Son, Brooklyn, N. Y., and transported from the State of New York into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of gelatin capsules containing a mixture of copaiba and essential oils, including cubeb, cinnamon and probably traces of eucalyptus and turpentine.

Misbranding of the article was alleged in substance in the libel for the reason that it was labeled in part on the cartons and in the booklets inclosed therein as a treatment of private diseases of men, useful in restoring a healthy condition of the mucous membranes of the genito-urinary tract and for the treatment of chronic and acute gonorrhœa, gleet, and urethritis, whereas the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it, and the statements on the cartons and in the booklets were false and fraudulent. Misbranding was alleged for the further reason that said cartons contained a booklet, a copy of which was attached to the libel as an exhibit by the United States attorney and made a part thereof, which said booklet contained statements, regarding the curative and therapeutic effects of the article and the ingredients and substances contained therein, which were false and fraudulent for the reason that said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for the said article therein.

On October 11, 1919, the said H. Planten & Son, Brooklyn, N. Y., having consented to the entry of a decree, judgment of condemnation was entered, and it was ordered by the court that the product be redelivered to said claimant upon payment of the costs of the proceeding and the execution of a bond in the sum of \$200, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7794. Adulteration of dried skimmed milk. U. S. \* \* \* v. 2 Barrels \* \* \* of a Product Purporting to be Dried Skimmed Milk. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8582. I. S. No. 8838-p. S. No. C-756.)**

On November 12, 1917, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and con-

demnation of 2 barrels of a product purporting to be dried skimmed milk, consigned by the Sethness Co., Chicago, Ill., about July 2, 1917, remaining in the original unbroken packages at Princeton, Ind., alleging that the article had been transported from the State of Illinois into the State of Indiana, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On April 3, 1918, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and on December 26, 1919, it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7795. Misbranding of Benetol Suppositories. U. S. \* \* \* v. 6 Boxes \* \* \* Benetol Suppositories. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 11578. I. S. No. 8091-r. S. No. C-1584.)

On November 8, 1919, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 bottles of Benetol Suppositories, remaining unsold in the original unbroken packages at Omaha, Nebr., alleging that the article had been shipped on or about January 9, 1919, by the Benetol Co., Minneapolis, Minn., and transported from the State of Minnesota into the State of Nebraska, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article made by the Bureau of Chemistry of this department showed that it consisted essentially of a base of cacao butter, carrying alpha- and beta-naphthol, boric acid, and traces of menthol and phenol.

Misbranding of the article was alleged in substance in the libel for the reason that the statements regarding the curative and therapeutic effects thereof, appearing on the labels and in the circulars accompanying the article, falsely and fraudulently represented that the article was a treatment, remedy, and cure for the special diseases of women, leucorrhœa, whites, vaginitis, vulvitis, cervicitis, endometritis, gonorrhœa, and all diseases of the vagina, inflammation or irritation of the cervix, and sexual diseases, whereas, in truth and in fact, it was not.

On December 26, 1919, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7796. Misbranding of Tratamiento Zendejas. U. S. \* \* \* v. 96 Bottles of Tratamiento Zendejas. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 11564. I. S. No. 9476-r. S. No. C-1662.)

On or about December 24, 1919, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 96 bottles of Tratamiento Zendejas, remaining unsold in the original unbroken packages, at New Orleans, La., alleging that the article had been shipped on or about December 6, 1919, by Panfilo Zendejas, Los Angeles, Calif., and transported from the State of California into the State of Louisiana, and charging misbranding under the Food and Drugs Act, as amended.

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of a sirupy solution containing potassium iodid and unidentified plant extractives.

Misbranding of the article was alleged in substance in the libel for the reason that the statements appearing on the labels and in the circular accompanying the article falsely and fraudulently represented that the article was a treatment, remedy, and cure for rheumatism, constipation, kidney troubles, eczema, tumors, ulcers, eruptions, suppurated manifestations, suppurations whether tumors, scrofulas, wounds, fistulas, impurities from the blood, paralysis, loss of sight, chronic rheumatism, extremely large or deep ulcers; that it would create well being and hope in a large number of patients whose depressed and sad appearance is a sure sign of constant disturbances in the digestive apparatus, impoverishment of the blood and lack of nervous energy; that it was the most assimilable and eliminable medicine for all impurities of the blood; and that it would give good results with blood diseases of all kinds and diseases of secondary order such as anemia, chlorosis, jaundice, and some skin diseases, diseases originating from impurity of the blood, pimples, headache (acute pain in head), dyspepsia, intestinal irregularities produced by the use of mercury, epilepsy or fits, insomnia, sores, lack of respiration, memory, sleep, and appetite, poor digestion, seasickness, neurasthenia, suppuration of the eyes or ears, scrofula, fatigue caused by overwork, some diseases of the sight, nervous affections, paralysis, lack of blood circulation, sleeping of the arms, legs, or other parts of the body, whereas, in truth and in fact, it was not a treatment, remedy, and cure for the diseases named.

On March 23, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the property be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7797. Misbranding of Saxon Gonorrhea Injection. U. S. \* \* \* v. 180 Bottles of Saxon Gonorrhea Injection. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11561. I. S. No. 2546-r. S. No. W-557.)**

On December 22, 1919, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 180 bottles of Saxon Gonorrhea Injection, remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about June 18, 1919, by the Saxon Co., Cleveland, Ohio, and transported from the State of Ohio into the State of Colorado, and charging misbranding under the Food and Drugs Act, as amended.

Analysis of the article made by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of salts of lead and zinc, and berberine.

Misbranding of the article was alleged in substance in the libel for the reason that the statements regarding the curative and therapeutic effects thereof, appearing on the labels and carton accompanying the article, falsely and fraudulently represented that the article was a treatment, remedy, and cure for gonorrhœa, gleet, and the prevention of stricture, whereas, in truth and in fact, it was not.

On January 21, 1920, no claimant having appeared for the property, default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*



**7798. Misbranding of Injection Malydor. U. S. \* \* \* v. 3 Dozen Bottles of Injection Malydor. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11642. I. S. No. 8538-r. S. No. C-1590.)**

On November 26, 1919, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen bottles of Injection Malydor, remaining unsold in the original unbroken packages at Grand Rapids, Mich., alleging that the article had been shipped on or about November 10, 1917, by the Kells Co., Newburgh, N. Y., and transported from the State of New York into the State of Michigan, and charging misbranding under the Food and Drugs Act, as amended.

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of boric acid, a zinc salt, acetanilid, glycerin, and a trace of alkaloids.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements regarding the curative and therapeutic effects thereof, appearing on the labels and in the circular accompanying the article, falsely and fraudulently represented that the article was a treatment, remedy, and cure for diseases of the official passages as gonorrhœa, gleet, spermatorrhœa, piles, leucorrhœa, unhealthy sexual discharges, impotence, varicocele, prostatitis, syphilis, and chancroids and certain other disorders, whereas, in truth and in fact, it was not.

On January 16, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the property be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7799. Misbranding of Santalets. U. S. \* \* \* v. 20 Bottles of Santalets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11639. I. S. No. 8617-r. S. No. C-1602.)**

On November 24, 1919, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 bottles of Santalets, remaining unsold in the original unbroken packages at St. Paul, Minn., alleging that the article had been shipped on or about January 28, 1916, by Sharp & Dohme, Baltimore, Md., and transported from the State of Maryland into the State of Minnesota, and charging misbranding under the Food and Drugs Act, as amended.

Analysis of a sample by the Bureau of Chemistry of this department showed that the capsules contained santal oil.

Misbranding of the articles was alleged in substance in the libel for the reason that the statements regarding the curative and therapeutic effects thereof, appearing on the label, falsely and fraudulently represented that the article was a treatment, remedy, and cure for gonorrhœa, chronic gonorrhœa, gleet, allied conditions of the urinary canal, and catarrh of the bladder—acute or chronic—whether due to gonorrhœal infection or other causes, whereas, in truth and in fact, it was not.

On March 5, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the property be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7800. Misbranding of B. A. Thomas' Improved Hog Powder. U. S. \* \* \* v. 11 Pails, 24 Pails, 38 Pails, 36 Pails, and 24 Pails of \* \* \* B. A. Thomas' Improved Hog Powder. Consent decree of condemnation and forfeiture. Property released on bond.** (F. & D. Nos. 9076, 9176, 9265. I. S. Nos. 1743-p, 16002-r, 16055-r. S. Nos. E-1046, E-1075, E-1091.)

On or about June 1, 1918, and August 1, 1918, the United States attorney for the Southern District of Florida, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 11 pails, 24 pails, 38 pails, 36 pails, and 24 pails containing either 15 pounds or 30 pounds of a product, labeled in part "B. A. Thomas Improved Hog Powder," remaining at Plant City and Kissimmee, Fla., consigned by the Old Kentucky Mfg. Co., Paducah, Ky., alleging that the article had been shipped on or about March 14, 1918, May 27, 1918, and March 6, 1918, and transported from the State of Kentucky into the State of Florida, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of magnesium sulphate, ferrous sulphate, lime, salt, and traces of sulphur.

Misbranding of the article was alleged in substance in the libels for the reason that the label on the pails and the booklets contained in said pails bore and contained statements, regarding the curative and therapeutic effect of the article, which were false and misleading, that is to say, the label on the pails contained the following statements, "B. A. Thomas' Improved Hog Powder \* \* \* For hogs that will eat or to use this Remedy as a preventive for Cholera \* \* \* Remedy for such diseases as Cholera, Swine plague \* \* \*," and the circular contained in the said pails included the following, "B. A. Thomas' Hog Powder \* \* \* used it most successfully for a number of years with his own hogs for the cure and prevention of cholera and swine plague \* \* \* during a general epidemic of hog cholera in his county, which had spread to his own herd, that he first used this remedy with such splendid effect that he did not lose a single hog, although a number were past eating and were apparently in a hopeless condition. Proving so successful in this case he continued the use of it as a cure and preventive for cholera and swine plague \* \* \* A safe and effective remedy and preventive for contagious germ diseases, such as cholera, swine plague, \* \* \*. As a preventive it has no equal, protecting from disease by removing the cause. \* \* \* If used as directed we positively guarantee one pound B. A. Thomas' Improved Hog Powder to cure any one case of hog cholera, or we will refund your money," whereas said statements, above set forth, contained on said label and in said booklet enclosed with the pails, with reference to the curative and therapeutic effects of said article, were false and fraudulent in that said product contained no ingredient or combination of ingredients capable of producing the therapeutic effects in said statements above set forth.

On April 24, 1919, the cases having been consolidated into one proceeding, and the said Old Kentucky Mfg. Co., claimant, having admitted the allegations contained in the libels, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon payment of all costs of the proceeding and execution of bond in the sum of \$1,000, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*





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# United States Department of Agriculture,

## BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

### SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 7801-7850.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., November 18, 1920.]

#### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**7801. Adulteration and misbranding of Pepso-Laxatone. U. S. \* \* \* v. 132 Bottles \* \* \* Pepso-Laxatone. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 11652, 11653. I. S. Nos. 2541-r, 2543-r. S. Nos. W-548, W-549.)

On December 22, 1919, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 132 bottles of Pepso-Laxatone, remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about June 3, 1919, and October 14, 1919, by the Burlingame Chemical Co., Los Angeles, Calif., and transported from the State of California into the State of Colorado, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part as follows: "Pepso-Laxatone contains 14% Alcohol. A Digestant Laxative. Pepso-Laxatone is a solution of Pepsin, Diastase, Pancreatine combined with Lactic and Hydrochloric Acid, To which is added to each fluid ounce 60 grains of fluid extract of Cascara Sagrada \* \* \*. An efficient combination of agents for the permanent relief of habitual Constipation, Gastric Disorders, and Indigestion."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of laxative plant extractives, licorice, glycerin, sugar, hydrochloric acid, volatile oils, alcohol, and water, with an amount of pepsin not over 0.01 gram per fluid ounce. Diastase and pancreatin were absent.

Adulteration of the article was alleged in substance in the libel for the reason that its strength and purity fell below the professed standard and quality under which it was sold, since the drug was offered for sale under the professed standard and quality that it was a solution of pepsin, diastase, pancreatin, combined with lactic and hydrochloric acid, to which had been added to each

fluid ounce 60 grains of fluid extract of cascara sagrada, whereas, in fact, said drug contained no diastase, no pancreatin, and only a negligible quantity of pepsin.

Misbranding of the article was alleged for the reason that each of the bottles bore statements, regarding the ingredients and substances contained therein, which were false and misleading in that they represented that said product was a solution of pepsin, diastase, pancreatin, combined with lactic and hydrochloric acid, to which had been added to each fluid ounce 60 grains of fluid extract of cascara sagrada, whereas, in fact, said product contained no diastase, no pancreatin, and the quantity of pepsin was not more than 10 milligrams per fluid ounce. Misbranding was alleged for the further reason that the above-quoted statements falsely and fraudulently represented that the article was a treatment, remedy, and cure for habitual constipation, gastric disorders, and indigestion, whereas, in fact, said drug contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed in said statements.

On January 21, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7802. Misbranding of olive oil and cottonseed salad oil. U. S. \* \* \* v. Jay J. Gerber and Norman Gerber (R. Gerber & Co.). Plea of guilty. Fine, \$60 and costs. (F. & D. No. 10758. I. S. Nos. 2704-r, 2708-r, 2709-r, 2710-r.)

On September 23, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Jay J. Gerber and Norman Gerber (R. Gerber & Co.); Chicago, Ill., alleging the shipment by said defendants, on or about November 8, 1918, November 13, 1918, and January 27, 1919, in violation of the Food and Drugs Act, as amended, from the State of Illinois into the State of New Mexico, of quantities of olive oil and cottonseed oil which were misbranded. The articles were labeled in part as follows: (Cans) "Ottimo Brand Virgin Olive Oil. Contents  $\frac{1}{2}$  Gal. Net" or "1 Gal. Net" or " $\frac{1}{4}$  Gal. Net" "Importato Puro Importato Olio d'Olive. Packed for R. Gerber and Co., Chicago, Ill.," and " $\frac{1}{2}$  Gal. Net" or "1 Gal. Net" "High Grade Winter Pressed Black Diamond Brand Cotton Seed Salad Oil. Packed by R. Gerber & Co., Chicago, Ill."

Examination of samples of the products made by the Bureau of Chemistry of this department showed that the cans were short volume.

Misbranding of the articles was alleged in substance in the information for the reason that the statements, "Contents  $\frac{1}{2}$  Gal. Net," "Contents  $\frac{1}{4}$  Gal. Net," "Contents 1 Gal. Net," " $\frac{1}{2}$  Gal. Net," and "1 Gal. Net," borne on the labels attached to the cans containing the articles, were false and misleading and the articles were labeled so as to deceive and mislead the purchaser, in that said statements and labeling represented that each can thereof contained not less than 1 gallon, or  $\frac{1}{2}$  gallon, or  $\frac{1}{4}$  gallon of the said articles, whereas, in fact and in truth, each of the said cans contained less than the amount stated. Misbranding of the articles was alleged for the further reason that they were food in package form, and the quantity of the contents thereof was not plainly and conspicuously marked on the outside of the packages.

On March 23, 1920, a plea of guilty to the information was entered by the defendants, and the court imposed a fine of \$60 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*



**7803. Misbranding of Pabst's Okay Specific. U. S. \* \* \* v. 7 Dozen Packages of a Product Labeled "Pabst's Okay Specific." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10127. I. S. No. 7882-r. S. No. C-1178.)**

On May 2, 1919, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 7 dozen packages of a product, labeled in part "Pabst's Okay Specific," remaining unsold in the original unbroken packages at Indianapolis, Ind., alleging that the article had been shipped on or about September 24, 1918, by the Pabst Chemical Co., Chicago, Ill., and transported from the State of Illinois into the State of Indiana and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample made by the Bureau of Chemistry of this department showed that it consisted essentially of oleoresin of copaiba, buchu, uva ursi, oil of peppermint, laxative plant extractives, sugar, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements regarding the curative and therapeutic effects thereof, appearing on the labels and in the circulars accompanying the article, falsely and fraudulently represented that the article was a treatment, remedy, and cure for gonorrhoea, gleet, urethritis, chronic mucous discharges, feverish and inflammatory symptoms, whereas, in truth and fact, it was not.

On January 2, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and on February 24, 1920, it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7804. Misbranding of Specific Globules 37-77. U. S. \* \* \* v. 4 Gross Cartons \* \* \* Specific Globules 37-77. Prepared for Chambers Drug Co. \* \* \* Los Angeles, Calif. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 10842. I. S. No. 2189-r. S. No. W-436.)**

On July 14, 1919, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 gross cartons of Specific Globules 37-77, remaining unsold in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped on or about August 20, 1918, by Sharp & Dohme, Baltimore, Md., and transported from the State of Maryland into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of gelatin capsules containing essentially a mixture of copaiba, cubebs, santal oil, and salol.

Misbranding of the article was alleged in substance in the libel for the reason that the following therapeutic effects thereof were claimed in substance on each and every bottle thereof, (carton) "Specific Globules 37-77. An improved combination in capsule form for the treatment of gonorrhoea and its complications," (circular) "Capsules 37-77 These Capsules stand in a class by themselves for the treatment of Gonorrhoea, Gleet, Stricture, or prolonged discharge \* \* \* for the treatment of Urinary diseases \* \* \*," and said claims and statements were false and fraudulent in that the contents of each and every carton contained no ingredient or combination of ingredients capable of producing the therapeutic effects above claimed for the said drugs.

On September 8, 1919, the Chambers Drug Co., a corporation, claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$300, in conformity with section 10 of the act, conditioned in part that the product be relabeled under the supervision of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

**7805. Adulteration and misbranding of canned tomatoes. U. S. \* \* \* v. 984 Cases \* \* \* Rose Hill Brand Tomatoes. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11658. I. S. No. 13989-r. S. No. E-1881.)**

On December 16, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 984 cases, each case containing 24 cans of a product, labeled Rose Hill Brand Tomatoes, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about October 24, 1919, by Chas. Webster, Sharpstown, Md., and transported from the State of Maryland into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Rose Hill Brand Tomatoes \* \* \* Contents 1 lb. 3 oz. Packed By Chas. Webster at East New Market, Dorchester, Co., Md."

Adulteration of the article was alleged in the libel in that water had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality or strength, and water had been substituted in whole or in part for the article.

Misbranding of the article was alleged in that the statement contained in the label on the can containing the article, to wit, "Rose Hill Brand Tomatoes," was false and misleading and deceived and misled the purchaser into the belief that the product was canned tomatoes, whereas it was a product containing added water. It was further misbranded in that it was an imitation of, and was offered for sale under the distinctive name of, another article.

On January 30, 1920, Chas. Webster, claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon payment of the costs of the proceedings and execution of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7806. Adulteration and misbranding of canned tomatoes. U. S. \* \* \* v. 497 Cases of Canned Tomatoes. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11897. I. S. No. 9095-r. S. No. C-1693.)**

On January 27, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 497 cases of canned tomatoes, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on December 3, 1919, by the Chino Canning Co., Chino, Calif., and transported from the State of California into the State of Missouri, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Standard C-C-C Three C Brand Tomatoes, with pure tomato

juice packed by Chino Canning Company, Chino, California. Net Contents, 1 lb. 12 oz. \* \* \*."

Adulteration of the article was alleged in the libel in that tomato pulp had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength.

Misbranding of the article was alleged in that statements on the label on the can containing the article regarding the article, to wit, "Standard C-C-C Three C Brand Tomatoes with pure tomato juice packed by Chino Canning Company, Chino, California. Net Contents, 1 lb. 12 oz. \* \* \*," were false and misleading, and deceived and misled the purchaser into the belief that the product consisted wholly of tomatoes, whereas it contained added tomato pulp. The product was further misbranded in that it was an imitation of, and sold under the distinctive name of, another article.

On March 10, 1920, the Chino Canning Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant upon payment of the costs of the proceedings and the execution of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7807. Adulteration and misbranding of canned tomatoes. U. S. \* \* \* v. 1,798 Cases of Blue Dot Brand Tomatoes. Consent decree of condemnation and forfeiture. Product ordered released on bond.** (F. & D. No. 11832. I. S. No. 15943-r. S. No. E-1878.)

On December 22, 1919, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,798 cases of Blue Dot Brand Tomatoes, remaining unsold at Philadelphia, Pa., consigned by Winfield Webster & Co., Rhodesdale, Md., alleging that the article had been shipped on or about September 4, 1919, and transported from the State of Maryland into the State of Pennsylvania, and charging adulteration and misbranding, in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that tomato pulp had been mixed and packed with, and substituted wholly or in part for, the article, to wit, tomatoes.

Misbranding of the article was alleged in that the statement on the label on the can containing the article, regarding the article, to wit, "Blue Dot Brand Tomatoes," was false and misleading.

On February 25, 1920, Winfield Webster & Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7808. Adulteration of evaporated apples. U. S. \* \* \* v. 100 Boxes of Evaporated Apples. Default decree of condemnation, forfeiture, and sale.** (F. & D. Nos. 11876, 11876-a. I. S. No. 5286-r. S. No. W-564.)

On January 9, 1920, the United States attorney for the District of Wyoming, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 100 boxes of evaporated apples, remaining unsold in the original unbroken



packages at Cheyenne, Wyo., consigned by the California Packing Corp., Fresno, Calif., alleging that the article had been shipped on or about December 3, 1919, and transported from the State of California into the State of Wyoming, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that a substance, to wit, water, had been mixed and packed with the article so as to reduce and lower and injuriously affect the quality and strength of the article. Adulteration of the article was further alleged in that water had been substituted in part for evaporated apples, and that the product contained 27 per cent moisture.

On April 15, 1920, no claimant having appeared, judgment of condemnation, forfeiture, and sale was entered, and it was ordered by the court that the property be sold by the United States marshal to the highest bidder, and further conditioned that the property be sold by the purchaser in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7809. Adulteration and misbranding of canned tomatoes. U. S. \* \* \* v. 65 Cases of Anderson Brand Tomatoes, U. S. \* \* \* v. 400 Cases of Anderson Brand Tomatoes. Consent decrees of condemnation and forfeiture. Goods released on bond. (F. & D. Nos. 11814, 11815, 11816, 11817, 11818. I. S. Nos. 14016-r, 14017-r. S. Nos. E-1879, E-1880.)**

On December 16, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 65 cases and 400 cases of Anderson Brand Tomatoes, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about September 12, 1919, and on or about September 8, 1919, by the Manteca Canning Co., Manteca, Calif., and transported from the State of California into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Anderson Brand Tomatoes Standard Quality \* \* \* Anderson Quality Tomatoes Distributed by Chas. A. Anderson & Co. New York San Francisco Net Contents 1 lb. 12 oz." (pictorial design of ripe tomato).

Adulteration of the article was alleged in the libels in that tomato pulp had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength, and tomato pulp had been substituted in part for the article.

Misbranding of the article was alleged in that the statements and design, on the label on the can containing the article, as set forth above, were false and misleading and deceived and misled the purchaser into the belief that the article consisted wholly of canned tomatoes, whereas it was a product to which tomato pulp had been added. Further misbranding was alleged in that it was an imitation of, and offered for sale under the distinctive name of, another article.

On January 27, 1920, Chas. A. Anderson & Co., claimant, having consented to decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be delivered to the said claimant upon the payment of the costs of the proceedings and the execution of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7810. Misbranding of Saxon Methygon Tablets. U. S. \* \* \* v. 120 Bottles of Drugs Labeled "Saxon Methygon Tablets." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11820. I. S. No. 2547-r. S. No. W-558.)**

On or about December 20, 1919, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 120 bottles of Saxon Methygon Tablets, remaining unsold in the original unbroken packages at Denver, Colo., consigned by The Saxon Co., Cleveland, Ohio, alleging that the article had been shipped on or about June 18, 1919, and transported from the State of Ohio into the State of Colorado, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of sugar-coated tablets composed essentially of methylene blue.

Misbranding of the article was alleged in that the statements on the bottles containing, and on the cartons inclosing the article, regarding the curative and therapeutic effects of the article, to wit, "Methygon Tablets A reliable remedy for treating Gonorrhœa and Gleet. Splendid results are obtained if used in connection with Saxon Gonorrhœa Injection," and "Saxon Methygon Tablets a Safe and Clean Remedy for Use in the Treatment of Gonorrhœa and Gleet. If Taken According to Directions, Methygon Tablets Will Prove Effective Where Other Preparations Fail," were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed for it by the said statements.

On January 21, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7811. Misbranding of Columbia Short Stop. U. S. \* \* \* v. 4½ Gross Bottles and 24 Dozen Bottles of a Drug Labeled "Columbia Short Stop." Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. Nos. 10211, 10422. I. S. Nos. 16190-r, 16221-r. S. Nos. E-1361, E-1444.)**

On May 10 and May 24, 1919, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 4½ gross bottles and 24 dozen bottles of Columbia Short Stop, remaining unsold in the original unbroken packages at Jacksonville, Fla., and Tampa, Fla., alleging that the article had been shipped on or about April 5, 1919, and December 12 and December 20, 1917, consigned by the Columbia Drug Co., Savannah, Ga., and transported from the State of Georgia into the State of Florida, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of samples of the article by the Bureau of Chemistry of this department showed that it consisted essentially of santal oil, copaiba, turpentine, gum acacia, ethyl nitrite, and alcohol, flavored with oil of lavender.

Misbranding of the article was alleged in that statements regarding the article on the labels on the bottles containing, and on the cartons enclosing the article, regarding the curative and therapeutic effects of the article, to wit, "Columbia Short Stop for Gonorrhœa, Gleet, Running Range, Inflammation

of the Kidneys and Bladder \* \* \* Continue taking several days after discharge stops \* \* \*," were false, fraudulent, and misleading in that the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed in the said statements.

On June 3, 1919, the Columbia Chemical Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the said claimant upon payment of the costs of the proceedings and the execution of bonds in the sum of \$376 and in the sum of \$194.50, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7812. Misbranding of Allan's Compound Extract of Sarsaparilla with Iodides. U. S. \* \* \* v. 14 Bottles of Allan's Compound Extract of Sarsaparilla with Iodides. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11662. I. S. No. 9424-r. S. No. C-1593.)**

On November 18, 1919, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 14 bottles of Allan's Compound Extract of Sarsaparilla with Iodides, remaining unsold in the original unbroken packages at Cairo, Ill, consigned by the Allan-Pfeiffer Chemical Co., St. Louis, Mo., alleging that the article had been shipped on or about June 28, 1919, and transported from the State of Missouri into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a laxative plant drug, plant extractives, sodium salicylate, a small amount of potassium iodid, glycerin, sugar, alcohol, and water.

Misbranding of the article was alleged in the libel in that the statements on the labels of the bottles containing, and on the carton enclosing the article, regarding the curative and therapeutic effects of the article, to wit, "Allan's Compound Extract of Sarsaparilla with Iodides \* \* \* Skin and Blood purifier; best known remedy for pimples, pustules, tetter or salt rheum blotches, tumors, boils, ring-worm, sores, ulcerations, scrofula, syphilitic affections, cancerous tumors, catarrh \* \* \*," "Allan's Compound Extract of Sarsaparilla, with Iodides, \* \* \*, Skin and Blood Remedy, recommended for pimples, pustules, tetter or salt rheum blotches, tumors, boils, ring-worm, ulcers, scrofula, and syphilis. Powerful purifier of the blood, \* \* \* removing those matters which disturb its purities \* \* \* Compound Extract of Sarsaparilla with Iodides \* \* \* blood purifier \* \* \*; useful in \* \* \* syphilis and mercurial diseases \* \* \*; other aids to rapid cure should be employed, as moderately generous diet of nourishing food, exhilarating outdoor exercise, bathing, friction of the skin, etc. \* \* \*," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed for the article in the above statements, and that the contents of the bottles consisted of sweetened hydro-alcoholic solution of glycerin, salicylate, plant extractive material, including a laxative drug, and a trace of iodid.

On December 22, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*



**7813. Misbranding of Knorr's Genuine Hien Fong. U. S. \* \* \* v. 275 Dozen Bottles of Knorr's Genuine Hien Fong. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11931. I. S. No. 9239-r. S. No. C-1717.)**

On February 7, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 275 dozen bottles of Knorr's Genuine Hien Fong, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about December 23, 1919, consigned by the Knorr Medical Co., Detroit, Mich., and transported from the State of Michigan into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample by the Bureau of Chemistry of this department showed that the article consisted essentially of alcohol, oil of mint, and water, with a small amount of ether.

It was alleged in the libel that the article was misbranded in that the statements on the packages in which the article was shipped, on the wrapper enclosing, on the label on the bottle containing, and in the circular accompanying the article, regarding the curative and therapeutic effects of the article, to wit, (shipping package) "Medicine for Croup, Diphtheria, Throat, Stomach Troubles," (wrapper) "Cholera Morbus, Indigestion, and Sore Throat and as a prophylactic in suspected cases of Croup and Diphtheria," (bottle) "Cholera Morbus, Indigestion, Summer Complaint, Neuralgia, Catarrh, Grippe, \* \* \* Tonsillitis, Sore Throat. In case of Diphtheria and Croup, these drops may be used to advantage as a gargle; in connection with the regular prescribed treatment," (circular) "Grippe \* \* \*. In Inflammation and weakness of the eyes \* \* \*. Dullness of Ears \* \* \*. Catarrh and Hayfever \* \* \*. In Suspected Diphtheria and Croup the Essence will be valuable as a prophylactic treatment \* \* \*. Catarrh \* \* \* Cholera Morbus and Summer Complaint," were false and fraudulent.

On May 20, 1920, Oscar Getsch, claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7814. Misbranding of Benetol Suppositories No. 2. U. S. \* \* \* v. 4 Boxes of Benetol Suppositories No. 2. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11579. I. S. No. 8799-r. S. No. C-1785.)**

On November 6, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 boxes of Benetol Suppositories No. 2, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about July 21, 1919, by the Benetol Co., Minneapolis, Minn., and transported from the State of Minnesota into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted of suppositories having a cacao butter base and containing alpha- and beta-naphthol, boric acid, and small amounts of menthol and phenol.

It was alleged in the libel that the article was misbranded in that the statements regarding the curative and therapeutic effects of the article on the boxes containing, and in the booklet accompanying the article, to wit, (box) "Benetol Suppositories for Women \* \* \* for the treatment of the special diseases of women \* \* \* use in vagina \* \* \*". Directions as a general disinfectant and local tonic: Insert a suppository into the vagina at night before retiring. For the treatment of leucorrhœa (whites), vaginitis, vulvitis, cervicitis, endometritis, gonorrhœa and all diseases of the vagina and for inflammation, or irritation of the cervix (mouth of the womb). Insert a suppository high in the vagina at night and take Benetol douche next morning \* \* \*," (booklet, page 9) " \* \* \* Leucorrhœa or whites—insert a suppository for women at night high in the vagina and next morning take a two quart douche containing a tablespoonful of Benetol. Other diseases peculiar to women—vulvitis, vaginitis, cervicitis, endometritis, etc., are treated by the same method. \* \* \*" (page 10) " \* \* \* Benetol Suppositories for women \* \* \* The suppositories: \* \* \* Benetol Douche. \* \* \* This treatment is of especial value in leucorrhœa and vaginitis and of course as a \* \* \* treatment of the sexual diseases \* \* \*" were false and fraudulent.

On May 8, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7815. Misbranding of Methylets. U. S. \* \* \* v. 44 Bottles of Methylets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11922. I. S. No. 8616-r. S. No. C-1709.)**

On February 6, 1920, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 44 bottles of Methylets, remaining unsold in the original unbroken packages at St. Paul, Minn., alleging that the article had been shipped on March 30, 1916, by Sharp & Dohme, Chicago, Ill., and transported from the State of Illinois into the State of Minnesota, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Sharp & Dohme's Methylets \* \* \* Manufactured only by Sharp & Dohme, Baltimore."

Analysis of a sample made by the Bureau of Chemistry of this department showed that it consisted of gelatin capsules containing a mixture of methylene blue, santal oil, copaiba, and oil of cinnamon.

Misbranding of the article was alleged in the libel in that the statements in the circular accompanying the article, regarding the curative and therapeutic effects of the article, to wit, " \* \* \* Methylets \* \* \* of great value in all forms of urethritis—especially gonorrheal and allied varieties. Its administration in acute cases is rapidly followed by a pronounced modification of all inflammatory symptoms. It shortens the duration, lessens the severity, and renders complications less frequent and protracted. \* \* \* A valuable auxiliary in the treatment of all stages of gonorrhea or its complications. \* \* \* Early stages of gonorrhea—where the discharge is thick and purulent—require one Methylet every four hours for five or six days. This will rapidly change the consistency of the discharge, diminish its amount, and relieve the painful symptoms, whatever they may be. In the latter and chronic stages—where the discharge is slight and mucoid in character, or reduced to the 'morning drop'—one Methylet three times a day will be all that is necessary to produce the desired effect. \* \* \* In the numerous complications of Gonorrhea that attack

the remainder of the genital tract, kidneys, and bladder, one Methylet three times a day will be sufficient," were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed in the statements in the circular.

On March 22, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the property be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7816. Misbranding of Bonkocine. U. S. \* \* \* v. 10 Bottles \* \* \* Bonkocine. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12117. I. S. No. 15194-r. S. No. E-1939.)**

On January 22, 1920, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 bottles of Bonkocine, remaining unsold in the original unbroken packages at Philadelphia, Pa., consigned by J. E. Gasson, Kenton, Ohio, alleging that the article had been shipped on or about March 22, 1919, and transported from the State of Ohio into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of magnesium sulphate and berberine.

Misbranding of the article was alleged in the libel in that the statements contained on the carton inclosing, on the label on the bottle containing, and in the circular accompanying the article, regarding the curative and therapeutic effects of the article and the ingredients and substances contained therein, to wit, (carton) " \* \* \* To Be Used Locally As a Prophylactic or Preventative for all Venereal Diseases \* \* \* Safe and Satisfactory \* \* \* Well Defined Cases of Gonorrhea yield to treatment in 1 to 5 days; Chronic Gonorrhea and Gleet in 5 to 10 days, provided they are not complicated with Stricture or Enlarged Prostate Gland," (bottle) " \* \* \* Bonkocine For the Treatment of all Unnatural Discharges of the Mucous Membranes Male or Female \* \* \*," (circular) " \* \* \* Gonorrhea \* \* \* These violent symptoms may be prevented by early use of Bonkocine. \* \* \* For Males \* \* \* For Females \* \* \* Gleet or Chronic Gonorrhea \* \* \* Hitherto it has been found very obstinate and difficult to cure, until the invention of Bonkocine, the success of which has been most marvelous. \* \* \* Leucorrhea or Whites, Female Disease \* \* \* Bonkocine has proven itself the best remedy for this disease. \* \* \* Dr. Tyson's Bonkocine A certain, most speedy, agreeable treatment for the above diseases and no others. \* \* \* As a Preventative Bonkocine used after an intercourse prevents the contracting of either Syphilis or Gonorrhea. It effectually eradicates both Syphilitic and Gonorrheal virus. \* \* \* all complicated cases of Gonorrhea yield to treatment in from one to four days," were false and fraudulent in that the article would not produce the curative and therapeutic effects which purchasers were led to expect by the above statements and which were applied to the article with a knowledge of their falsity for the purpose of defrauding the purchasers thereof.

On February 16, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*



7817. Misbranding of D. D. D. Remedy for Eczema. U. S. \* \* \* v. 253  
Dozen Bottles Labeled in Part "D. D. D. Remedy for Eczema \* \* \*  
Ordinary Strength." Default decree of condemnation, forfeiture,  
and destruction. (F. & D. No. 12267. I. S. No. 54-r. S. No. E-1993.)

On March 3, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 25 $\frac{1}{2}$  dozen bottles of D. D. D. Remedy for Eczema \* \* \* Ordinary Strength, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about December 26, 1919, by the Valley Crystal Co., Ravenswood, Ill., and on or about October 17, 1919, by the Williams Mfg. Co., Cleveland, Ohio, and transported from the States of Illinois and Ohio into the State of New York and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 30.18 per cent by volume of alcohol and consisted of phenol, oil of sassafras, methyl salicylate, salicylic acid, chloral hydrate, alcohol, and water.

Misbranding of the article was alleged in the libel in that the statement on the labels on the cartons inclosing, and on the bottles containing the article, to wit, "Contains Alcohol, 38%," was false and misleading and deceived and misled the purchaser. Misbranding of the article was further alleged in that the statements on the carton inclosing, and on the label of the bottle containing the article, regarding the curative and therapeutic effects of the article, to wit, (carton, large size) "D. D. D. Remedy for Eczema and Diseases of the skin and scalp \* \* \* Eczema Psoriasis Pimples Tetter \* \* \* Salt Rheum Dandruff Ivy Poison Hives Itching Piles \* \* \* Itch Barber's Itch Dermatitis Herpes Sycosis," (bottle, large size) "D. D. D. Prescription for the Skin and Scalp," (bottle, trial size) "D. D. D. Prescription for the Skin and Scalp \* \* \* Pimples on Face, Red Nose, Barber's Itch," (carton) "D D D Remedy for Eczema and Diseases of the skin and scalp \* \* \* Pimples on Face Red Nose Barber's Itch \* \* \* Eczema Psoriasis Pimples Tetter \* \* \* Salt Rheum Dandruff Ivy Poison Hives Itching Piles \* \* \* Itch Barber's Itch Dermatitis Herpes Sycosis," (bottle, 60-cent size) "D. D. D. Prescription for the Skin and Scalp \* \* \* Pimples on Face Red Nose Barber's Itch," (carton) "D. D. D. Remedy for Eczema and Diseases of the skin and scalp \* \* \* Eczema Psoriasis Pimples Tetter \* \* \* Salt Rheum Dandruff Ivy Poison Hives Itching Piles Itch Barber's Itch Dermatitis Herpes Sycosis \* \* \* Pimples on Face Red Nose Barber's Itch," (circular, large size) "To subdue Eczema and Skin Diseases \* \* \* Use D. D. D.—The Lotion for Skin Diseases," (booklet, large size) "D. D. D. The Lotion for Skin Disease \* \* \* In nearly all instances D. D. D. gives relief at once \* \* \* It is indeed true that the first or second full size bottle will relieve the itch and will be found to be sufficient in the majority of cases of skin disease. In practically all cases the fourth or fifth, or at the very most the sixth bottle will plainly indicate to the patient that he is on the road to recovery \* \* \* Continue the use of D. D. D. prescription until the desired results are obtained \* \* \* D. D. D. is a treatment. \* \* \* the Most Common Forms of Skin Disease Successfully Treated by D. D. D. Eczema (Salt Rheum; Tetter) \* \* \* Psoriasis \* \* \* Barber's Itch \* \* \* Sycosis \* \* \* Acne \* \* \* Dandruff \* \* \* Hives, Nettle rash \* \* \* Plant Poison," (32-page booklet, headed, "Cause and Cure of Skin Diseases") " \* \* \* Read these letters from the chronic sufferers \* \* \* hardly one who had to invest more than four, five or six dollars for a Complete and Permanent Cure. Read also about others

cured by the very first dollar bottle \* \* \* In the majority of cases the first or second bottle will relieve the itch and check the disease, and perhaps accomplish a complete cure and in practically all cases, the fourth or fifth, at the very most the sixth bottle, will plainly indicate to the patient that he is on the road to recovery. As far as reports are received from patients, we have few cases in which more than four or five bottles are required for a cure \* \* \* Diseases Cured by D. D. Eczema Acne and Pimples Dermatitis \* \* \* Herpes Hives \* \* \* Poisonous Rashes Itching Piles Psoriasis Dandruff and Affections of the Scalp Barber's Itch and Sycosis Salt Rheum and Tetter Scabies Lichen Red Nose \* \* \* Itch of all kinds Directions for Each Disease. If You Seek a Positive Cure, Read This Carefully and Follow Instructions \* \* \* Eczema \* \* \* In Weeping Eczema \* \* \* Dry Eczema \* \* \* Infantile Eczema and Baby Rash \* \* \* Psoriasis \* \* \* D. D. D. has shown remarkable results in Psoriasis cases \* \* \* Salt Rheum and Tetter \* \* \* Barber's Itch \* \* \* Sycosis \* \* \* Itching piles (Eczema Ani) \* \* \* Dandruff or any Disease of Scalp \* \* \* Acne \* \* \* In Hives, Nettle Rash, Poison Oak and Poison Ivy \* \* \*," were false and fraudulent as the article contained no ingredient or combination of ingredients capable of producing the effects claimed for the article by the foregoing statements.

On March 17, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7818. Adulteration of canned salmon. U. S. \* \* \* v. 24 Cases, Each Containing 48 Cans of a Product Purporting to be Canned Salmon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12382. I. S. No. 379-r. S. No. E-2082.)**

On April 26, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 24 cases, each containing 48 cans of a product purporting to be canned salmon, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about August 9, 1919, and transported from the State of Virginia into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Hall's Sealect Brand Pink Salmon \* \* \* G. Batcheller Hall Co., Distributor, Seattle, Washington."

Adulteration of the article was alleged in the libel in that the article consisted in part of a filthy, decomposed, and putrid animal substance.

On June 12, 1920, no claimant having appeared, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7819. Misbranding of Dr. LeGear's Hog Prescription. U. S. \* \* \* v. 10 Packages of Drugs Labeled in Part "Dr. LeGear's Hog Prescription." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11874. I. S. No. 8551-r. S. No. C-1677.)**

On or about January 11, 1920, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure

and condemnation of 10 packages of Dr. LeGear's Hog Prescription, remaining unsold in the original unbroken packages at Davenport, Iowa, alleging that the article had been shipped on February 17, 1919, by the Dr. LeGear Medicine Co., St. Louis, Mo., and transported from the State of Missouri into the State of Iowa, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a mixture of sodium sulphate, ferrous sulphate, powdered charcoal, wormseed, mill screenings, and unidentified vegetable tissue.

Misbranding of the article was alleged in the libel in that the statements on the packages containing the article, regarding the article and its curative and therapeutic effects, to wit, "The worm expeller \* \* \* Good for many cases of so-called Cholera in Hogs, such as Diarrhœa, Bowel Troubles, Kidney Worms, etc. \* \* \* For Diarrhœa, Dysentery and other Bowel Troubles resembling Cholera \* \* \* For Kidney Worms or Paralysis \* \* \* To Prevent Disease \* \* \*," were false and fraudulent in that the article consisted essentially of ferrous sulphate, sodic sulphate, mill screenings, charcoal, wormseed, and other plant materials, and contained no ingredient or combination of ingredients capable of producing the effects claimed for the article by the above statements.

On April 22, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the article be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7820. Misbranding of Snoddy Remedy. U. S. \* \* \* v. 27 Cartons of Snoddy Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11498. I. S. No. 8977-r. S. No. C-1561.)**

On October 27, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 27 cartons of Snoddy Remedy, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about June 3, 1919, by the Dr. J. H. Snoddy Remedy Co., Alton, Ill., and transported from the State of Illinois into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Snoddy Remedy \* \* \* Recommended for Swine Plague, Cholera."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a mixture of copper sulphate, sodium sulphate, arsenic, sulphur, charcoal, and wheat middlings.

Misbranding of the article was alleged in the libel in that the statements on the carton inclosing and in the leaflet accompanying the article, regarding the article and its therapeutic and curative effects, to wit, (carton) "Snoddy Remedy \* \* \* Recommended for Swine Plague, Cholera \* \* \*," (leaflet) "\* \* \* How to prepare slops for cholera treatment \* \* \*. After the Cholera Treatment is finished \* \* \* Tonic and thrift treatment. This treatment is most important. We urge the careful reading of this article. If Hog Raisers will follow this treatment implicitly, the hogs will always be in a healthy, thrifty condition and will rarely contract the Cholera. \* \* \*. Chicken cholera. The Snoddy Remedy is one of the best poultry remedies on the market. For producing health and thrift and making hens lay, it has



no equal. Many of our customers write us that it cures chicken cholera and other parasitic diseases common to poultry if fed as directed. Directions for treating poultry. \* \* \*. Where the farmers use a little of this medicine with their chickens with proper sanitary conditions you seldom hear of disease. \* \* \* The remedy is especially adapted to Roup and Cholera, two diseases that destroy a great many Poultry. When you once try it and see what it will do, we think you will be a constant user of the remedy. Received many letters from the poultry people who have used the Remedy telling us there is nothing like it for Poultry, and they expect to keep a supply of it on hand in the future. \* \* \* Now we are satisfied your Remedy will successfully cure any case of Hog Cholera. Our neighbors on every side of us using other remedies lost nearly every hog in their herds. We can honestly recommend the Snoddy Remedy to be all you claim for it. We write this letter that you may publish it for the benefit of other breeders who are in need of such a remedy in their herds. \* \* \* Regular treatment for cholera. \* \* \*. How to prepare feed for cholera treatment," were false and fraudulent.

On May 8, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7821. Misbranding of Dr. Harper's Anti-Cholera Tonic. U. S. \* \* \* v. 45 Packages \* \* \* of Dr. Harper's Anti-Cholera Tonic. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11593. I. S. No. 8739-r. S. No. C-1592.)**

On November 11, 1919, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 45 packages of Dr. Harper's Anti-Cholera Tonic, remaining unsold in the original unbroken packages at Pryor, Okla., alleging that the article had been shipped on or about May 29, 1919, by the Elite Chemical Co., Watertown, Tenn., and transported from the State of Tennessee into the State of Oklahoma, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a mixture of sodium bicarbonate and sulphate, sulphur, oxid of iron, and vegetable tissue, including fragments of seeds and hulls.

Misbranding of the article was alleged in substance in the libel for the reason that the shipping cases, cartons, and folders inside the carton bore and contained statements, regarding the curative and therapeutic effects of said drug article and of the ingredients and substances contained therein, which were false and fraudulent in that said article contained no ingredient or combination of ingredients capable of producing the following curative and therapeutic effects claimed for it on the shipping case, carton, and folder inside the carton, reading as follows, to wit, (shipping case) "Dr. Harper Remedies Guaranteed—Every Drop Dr. Harper's Anti-Cholera for Hogs," (carton) "Dr. Harper's Anti-Cholera Tonic for Hogs Given to prevent diseases in swine. For Worms. How to prevent Cholera," (folder) "How to prevent Cholera \* \* \* about every other day give to each hog a tablespoonful of Dr. Harper's Anti-Cholera \* \* \* in most cases acts as a preventive to disease \* \* \* use anti-cholera and you will have no sick hogs to cure. Your hogs will gain in weight and meat will be free from disease."

On February 27, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7822. Misbranding of Texas Wonder. U. S. \* \* \* v. 96 Bottles of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12525. I. S. No. 9526-r. S. No. C-1863.)**

On or about March 23, 1920, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 96 bottles of a drug, labeled in part "Texas Wonder," remaining unsold in the original unbroken packages at New Orleans, La., alleging that the article had been shipped on or about February 7 and February 23, 1920, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Louisiana, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, gualac, turpentine, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements which appeared on the carton and on the circulars accompanying the article, regarding its curative and therapeutic effect, were false and fraudulent since the article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton) " \* \* \* A Remedy for Kidney and Bladder Troubles Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children \* \* \* ;" (circular, headed "Read Carefully") "In cases of Gravel and Rheumatic troubles it should be taken every night in 25-drop doses until relieved."

On May 11, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7823. Adulteration of fish flakes. U. S. \* \* \* v. 944 Cases of Fish Flakes. Decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 11643, 11644, 11645. I. S. Nos. 2019-r, 2021-r. S. No. W-542.)**

On November 26, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the condemnation and forfeiture of 944 cases of fish flakes, labeled in part "B & M Fish Flakes," remaining unsold in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped on June 11, 1918, by Burnham & Morrill Co., Portland, Me., and transported from the State of Maine into the State of California, and charging adulteration under the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On December 10, 1919, C. E. Cumberson Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7824. Adulteration and misbranding of canned tomatoes. U. S. \* \* \* v. 600 Cases of Rose Hill Brand Tomatoes. Decree of condemnation and forfeiture. Product ordered released under bond. (F. & D. No. 11640. I. S. No. 15125-r. S. No. E-1838.)**

On November 25, 1919, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 600 cases of Rose Hill Brand tomatoes, remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about October 5, 1919, by Charles Webster, Sharptown, Md., and transported from the State of Maryland into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Rose Hill Brand Tomatoes \* \* \* Packed by Chas. Webster at New Market, Dorchester Co., Md."

Adulteration of the article was alleged in the libel for the reason that water had been mixed and packed with the tomatoes so as to reduce, lower, and injuriously affect their quality and strength.

Misbranding of the article was alleged for the reason that the labels bore the statement, "Rose Hill Brand Tomatoes," regarding the article and the ingredients and substances contained therein, which was false and misleading in that the above statement indicated to the purchaser that the package contained tomatoes, whereas added water had been mixed and packed therewith.

On December 22, 1919, Charles Webster, claimant, having consented to a decree and admitted the averments of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$3,000, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7825. Adulteration and misbranding of olive oil. U. S. \* \* \* v. Roberto Emilio. Plea of guilty. Fine, \$25. (F. & D. No. 11597. I. S. No. 13581-r.)**

On January 23, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Roberto Emilio, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about April 15, 1919, from the State of New York into the State of Pennsylvania, of a quantity of olive oil which was adulterated and misbranded. The article was labeled in part, "1 Gallon Net Qualita Superiore" (picture of maps of Italy and Tripoli, woman holding Italian flag, and coat of arms) "Olio Tripolitana Puro."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the presence of soya-bean oil, and that the product was short volume.

Adulteration of the article was alleged in the information for the reason that soya-bean oil had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for Tripolitan olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statement "Olio Tripolitana Puro," together with the designs and maps of Italy and Tripoli and the Italian flag and coat of arms thereon, was false and misleading, and said article was labeled so as to deceive and mislead the purchaser in that it represented that said article was a Tripolitan olive oil, whereas, in fact and



in truth, it was not a Tripolitan or other variety of olive oil. Misbranding of the article was alleged for the further reason that it was falsely branded as to the country wherein it was produced, in that it purported to be a foreign product, when, in fact and in truth, it was a domestic product. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents thereof was not plainly and conspicuously marked on the outside of the package.

On March 18, 1920, the defendant entered a plea of guilty, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

**7826. Adulteration and misbranding of frozen eggs. U. S. \* \* \* v. Emanuel A. Warner (Stricker Bros.). Plea of guilty. Fine, \$50 and costs. (F. & D. No. 11631. I. S. Nos. 15649-r, 15650-r.)**

On March 2, 1920, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Emanuel A. Warner (Stricker Bros.), Baltimore, Md., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about September 17, 1918, and September 19, 1918, from the State of Maryland into the District of Columbia, of a quantity of frozen eggs which were adulterated and misbranded.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

Misbranding of the article was alleged for the reason that it was food in package form, and the quantity of the contents thereof was not plainly and conspicuously marked on the outside of the package.

On March 2, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**7827. Adulteration and misbranding of olive oil. U. S. \* \* \* v. Anthony J. Barbanera. Plea of guilty. Fine, \$25. (F. & D. No. 11595. I. S. Nos. 6286-r, 15276-r.)**

On February 20, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Anthony J. Barbanera, New York, N. Y., alleging shipment by said defendant, on or about October 2, 1918, and December 18, 1918, in violation of the Food and Drugs Act, as amended, from the State of New York into the State of Texas, of a quantity of olive oil which was adulterated and misbranded. The article was labeled in part, "Net Contents One Quarter Gallon Extra Fine Quality Oil" (Italian heraldic design) "D'Annunzio Brand Corn Oil Specialty Lucca" or "Termini Imerese" or "Bitonto" "Style Trade Mark Packed by A. J. Barbanera Olio Eccellente Insuperabile per Insalata, Etc. Excellent Oil Insuperable for Salads, Etc."

Adulteration of the article labeled "Specialty Lucca" was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

Misbranding of the article was alleged in substance in the information for the reason that the words "D'Annunzio Brand," "Specialty Lucca" or "Termini

Imerese" or "Bitonto Style," as the case might be, "Olio Eccellente," "Insuperabile per Insalata," on the said labels appearing, purported that said article was a foreign product, when, in fact and in truth, it was a domestic product, and for the further reason that said statements were false and misleading and were intended to deceive and mislead the purchaser in that they represented to purchasers of said article that the same was olive oil, whereas it was not. Misbranding was alleged for the further reason that by means of the said statements and designs on the label it was falsely branded as to the country in which it was produced, and for the further reason that it was food in package form, and the quantity of the contents thereof was not plainly and conspicuously marked on the outside of the package.

On March 3, 1920, the defendant entered a plea of guilty, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

**7828. Adulteration and misbranding of canned tomatoes. U. S. \* \* \* v. 1,000 Cases of Canned Tomatoes. Consent decree of condemnation and forfeiture. Product ordered released under bond. (F. & D. No. 11557. I. S. No. 14018-r. S. No. E-1898.)**

On December 18, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,000 cases of canned tomatoes, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about October 8, 1918, by A. W. Sisk & Son, North Wales, Md., and transported from the State of Maryland into the State of New York, and charging adulteration and misbranding under the Food and Drugs Act. The article was labeled in part, "Love Apple Brand Love Apple Tomatoes Packed by W. J. Wright & Sons, North Wales, Md."

Adulteration of the article was alleged in the libel for the reason that tomato pulp had been mixed and packed with the article and substituted wholly or in part for canned tomatoes, which the product purported to be, and for the further reason that it consisted in whole or in part of a filthy, putrid, and decomposed vegetable substance.

Misbranding of the article was alleged for the reason that the statement, "Love Apple Brand Love Apple Tomatoes," and the design of whole ripe tomatoes appearing on the label, regarding the article and the ingredients and substances contained therein, were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, tomatoes.

On March 10, 1920, Albert W. Sisk, claimant, having consented to a decree and having filed a stipulation admitting the truth of the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,500, in conformity with section 10 of the act, conditioned in part that the product be relabeled under the supervision of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

**7829. Adulteration and misbranding of canned tomatoes. U. S. \* \* \* v. 1,996 Cases of Duke of Maryland Brand Tomatoes. Decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 11555, 11556. I. S. Nos. 15942-r, 15944-r. S. Nos. E-1899, E-1900.)**

On December 16, 1919, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,996 cases of Duke of Maryland Brand Tomatoes, remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about September 23 and October 24, 1919, by J. B. Andrews & Co., Hurlock, Md., and transported from the State of Maryland into the State of Pennsylvania, and charging adulteration and misbranding under the Food and Drugs Act. The article was labeled in part, "Duke of Maryland Brand Tomatoes Packed by J. B. Andrews, Hurlock, Md."

Adulteration of the article was alleged in the libel for the reason that tomato pulp had been mixed and packed with, and substituted wholly or in part for, canned tomatoes, which the article purported to be, and that the article contained tomato pulp which was filthy, putrid, and decomposed.

Misbranding of the article was alleged for the reason that the statement, "Duke of Maryland Brand Tomatoes," and design showing whole ripe tomatoes, regarding the article and the ingredients and substances contained therein, were false and misleading in that tomato pulp had been mixed and packed with, and substituted wholly or in part for, the tomatoes.

On March 1, 1920, J. B. Andrews & Co., claimant, having consented to a decree and filed a stipulation admitting the averments of the libel, a decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$5,000, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7830. Adulteration and misbranding of olive oil. U. S. \* \* \* v. Accursio Dimino. Plea of guilty. Fine, \$25. (F. & D. No. 11971. I. S. No. 14943-r.)**

On March 15, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Accursio Dimino, New York, N. Y., alleging shipment by said defendant, on January 27, 1919, of an article, and transportation of same, from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Finest Quality Olive Oil Termini Imerese."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was a mixture of oils, possibly soya-bean oil with cottonseed oil, and contained very little, if any, olive oil. The cans were also short volume.

Adulteration of the article was alleged in that a substance, to wit, cottonseed oil, had been mixed and packed with the article so as to lower and reduce and injuriously affect its quality and strength; it was further adulterated in that a substance, to wit, cottonseed oil, had been substituted in large part for olive oil, which the article purported to be.

Misbranding of the article was alleged in that the statements on the cans containing the article, regarding the article, to wit, "Finest Quality Olive Oil," "Extra Pure," "Termini Imerese," "Italy Sicilia—Italia," "1 Gallon Net," and



"Guaranteed Absolutely Pure," were false and misleading in that they represented that the said article was olive oil, that the said article was a foreign product produced in the kingdom of Italy, and that each of the cans contained 1 full gallon of the article, whereas said article was not olive oil, but was a mixture composed in large part of cottonseed oil; said article was not a foreign product produced in the kingdom of Italy, but was a domestic product produced in the United States of America; and each of the cans did not contain 1 full gallon of the article, but contained a less amount. The article was further misbranded in that it was a mixture composed in large part of cottonseed oil prepared in imitation of olive oil, and was offered for sale and sold under the distinctive name of another article, to wit, olive oil. The article was further misbranded in that it was falsely branded as to the country in which it was manufactured and produced, in that it was an article manufactured and produced in the United States of America and was branded as manufactured and produced in the kingdom of Italy. Said article was further misbranded in that it was labeled so as to deceive and mislead the purchaser into the belief that the said article was olive oil, that the article was a foreign product, olive oil produced in the kingdom of Italy, and that each can contained 1 full gallon of the article, whereas the article was not an olive oil, but was a mixture composed in large part of cottonseed oil; it was not a foreign product, an olive oil produced in the kingdom of Italy, but was a domestic product, an article produced in the United States of America; and each of the cans contained less than 1 full gallon of the article. The article was further misbranded in that the statements on the cans as above set forth purported said article to be a foreign product, when not so. The article was further misbranded in that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On March 18, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

**7831. Adulteration and misbranding of olive oil. U. S. \* \* \* v. Accursio Dimino. Plea of guilty. Fine, \$25. (F. & D. No. 11970. I. S. No. 13828-r.)**

On March 15, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Accursio Dimino, New York, N. Y., alleging shipment by said defendant on January 31, 1919, in violation of the Food and Drugs Act, as amended, and transportation from the State of New York into the State of Pennsylvania, of a quantity of an article, labeled in part "First Pressing Cream Olive Oil; this virgin oil is highly recommended for medicinal and table use," which was adulterated and misbranded.

Examination of samples of the article by the Bureau of Chemistry of this department showed that the product consisted almost entirely of cottonseed oil, and that the cans were short volume.

Adulteration of the article was alleged in the information in that it was sold under and by a name recognized in the United States Pharmacopœia, and then and there differed from the standard of strength, quality, and purity as determined by the tests laid down in said Pharmacopœia, official at the time of investigation of the article, in that the said Pharmacopœia provides that olive oil shall be obtained from the fruit of *olea Europœa*, whereas the article consisted in large part of cottonseed oil, and the standard of the strength, quality, and purity was not declared on the container thereof. Said article was further

adulterated in that a substance, to wit, cottonseed oil, had been mixed and packed with the article so as to lower and reduce and injuriously affect its quality and strength; it was further adulterated in that a substance, to wit, cottonseed oil, had been substituted in large part for olive oil, which the article purported to be.

The article was misbranded, it was alleged in the libel, in that the statements regarding the article on the cans containing the article, to wit, "Olive Oil," "Absolutely Pure," "Made from the finest selected olives grown on the Italian Riviera," and "One Gallon Full Measure," were false and misleading in that they represented that the said article was olive oil, that said article was a foreign product, and that the said article was produced in the kingdom of Italy, and that the said cans contained 1 full gallon of the article, whereas the article was not olive oil, but was composed in large part of cottonseed oil, the article was not a foreign product produced in the kingdom of Italy, but was a domestic product produced in the United States of America, and the cans did not contain 1 full gallon of the article. The article was further misbranded in that it was a mixture composed in large part of cottonseed oil prepared in imitation of olive oil, and was offered for sale and sold under the distinctive name of another article, to wit, olive oil; said article was further misbranded in that it was falsely branded as to the country in which it was manufactured and produced in that it was an article manufactured and produced in the United States of America and was branded as manufactured and produced in the kingdom of Italy; said article was further misbranded in that it was labeled as above mentioned so as to deceive and mislead the purchaser into the belief that the said article was olive oil, that said article was a foreign product, to wit, an olive oil produced in the kingdom of Italy, and that each of the cans contained 1 full gallon of the article, whereas said article was not an olive oil, but was a mixture composed in large part of cottonseed oil, said article was not a foreign product, to wit, an olive oil produced in the kingdom of Italy, but was a domestic product, to wit, an article produced in the United States of America, and each of the cans did not contain 1 full gallon of the article, but contained a less amount. The article was further misbranded in that the statements on the cans above mentioned purported said article to be a foreign product, when not so. The article was further misbranded in that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On March 18, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

**7832. Adulteration and misbranding of olive oil. U. S. \* \* \* v. Accursio Dimino. Plea of guilty. Fine, \$25. (F. & D. No. 11974. I. S. No. 13833-r.)**

On March 15, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Accursio Dimino, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about January 27, 1919, from the State of New York into the State of Pennsylvania, of a quantity of an article labeled in part "Finest Quality Olive Oil Termini Imerese Italy 1 Gallon Net Guaranteed Absolutely Pure," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product consisted chiefly of cottonseed oil, and that the cans were short volume.

Adulteration of the article was alleged in that a substance, to wit, cottonseed oil, had been mixed and packed with the article so as to lower and reduce and injuriously affect its quality and strength; it was further adulterated in that a substance, to wit, cottonseed oil, had been substituted in large part for olive oil, which the article purported to be.

Misbranding of the article was alleged in that the statements on the cans containing the article, regarding the article, to wit, "Finest Quality Olive Oil," "Extra Pure," "Termini Imerese," "Italy Sicilia—Italia," "1 Gallon Net," and "Guaranteed Absolutely Pure," were false and misleading in that they represented that the said article was olive oil, that the said article was a foreign product produced in the kingdom of Italy, and that each of the cans contained 1 full gallon of the article, whereas said article was not olive oil, but was a mixture composed in large part of cottonseed oil, said article was not a foreign product produced in the kingdom of Italy, but was a domestic product produced in the United States of America, and each of the cans did not contain 1 full gallon of the article, but contained a less amount; the article was further misbranded in that it was a mixture composed in large part of cottonseed oil prepared in imitation of olive oil, and was offered for sale and sold under the distinctive name of another article, to wit, olive oil; the article was further misbranded in that it was falsely branded as to the country in which it was manufactured and produced, in that it was an article manufactured and produced in the United States of America and was branded as manufactured and produced in the kingdom of Italy; said article was further misbranded in that the labeling as above set forth was intended to deceive and mislead the purchaser into the belief that the said article was olive oil, that the article was a foreign product, olive oil produced in the kingdom of Italy, and that each can contained 1 full gallon of the article, whereas the article was not an olive oil, but was a mixture composed in large part of cottonseed oil, it was not a foreign product, an olive oil produced in the kingdom of Italy, but was a domestic product, an article produced in the United States of America, and each of the cans contained less than 1 full gallon of the article; the article was further misbranded in that the statements on the cans as above set forth purported said article to be a foreign product, when not so. The article was further misbranded in that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On March 18, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

**7823. Adulteration and misbranding of olive oil. U. S. \* \* \* v. Accursio Dimino. Plea of guilty. Fine, \$25. (F. & D. No. 11972. I. S. No. 13580-r.)**

On March 10, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Accursio Dimino, New York, N. Y., alleging shipment by said defendant, on April 19, 1919, of an article, and transportation of same from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Finest Quality Table Oil Termini Imerese."



Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product consisted of cottonseed oil, and that the cans were short volume.

Adulteration of the article was alleged in that a substance, to wit, cottonseed oil, had been mixed and packed with the article so as to lower and reduce and injuriously affect its quality and strength; it was further adulterated in that a substance, to wit, cottonseed oil, had been substituted in large part for olive oil, which the article purported to be.

Misbranding of the article was alleged in that the statements on the cans containing the article, regarding the article, to wit, "Finest Quality Table Oil Insuperabile Termini Imerese" and "Net Contents One Gallon," together with the design and device of an olive tree with natives gathering olives, not corrected by the statement in inconspicuous type in an inconspicuous place, "Cottonseed oil slightly flavored with olive oil," were false and misleading in that they represented that the said article was olive oil, and that each of the cans contained 1 full gallon of the article, whereas said article was not olive oil, but was a mixture composed in large part of cottonseed oil, and each of said cans did not contain 1 full gallon of the article, but contained a less amount; said article was further misbranded in that the labeling as above set forth was [intended] to deceive and mislead the purchaser into the belief that the said article was olive oil, and that each can contained 1 full gallon of the article, whereas the article was not olive oil, but was a mixture composed in large part of cottonseed oil, and each of the cans contained less than 1 full gallon of the article. The article was further misbranded in that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On March 18, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

**7834. Misbranding of olive oil. U. S. \* \* \* v. F. Romeo & Co. Plea of guilty. Fine, \$25. (F. & D. No. 11957. I. S. No. 16019-r.)**

On March 2, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against F. Romeo & Co., a corporation, doing business at New York, N. Y., alleging shipment by the above company, in violation of the Food and Drugs Act, as amended, on or about May 28, 1918, from the State of New York into the State of Florida, of a quantity of an article, labeled in part "Italian Product Virgin Olive Oil Agash Brand Italy \* \* \* A. Gash, Importer and Packer Oneglia Italy N. Y. U. S. A.," which was misbranded.

Examination of samples of the article by the Bureau of Chemistry of this department showed that the cans were short volume.

Misbranding of the article was alleged in the information in that the statement on the label on the can containing the article, to wit, "Net Contents One Full Quart," was false and misleading in that it represented to the purchaser of the said article that each can contained not less than 1 quart of the article, whereas each can contained less than 1 quart. It was further misbranded in that the article was food in package form, and the quantity of the contents of the said package was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On March 3, 1920, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

**7835. Misbranding of olive oil. U. S. \* \* \* v. Socrates Moscahlades and Stylianos Moscahlades (Moscahlades Bros.). Plea of guilty. Fine, \$75. (F. & D. No. 11966. I. S. No. 14965-r.)**

On March 15, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Socrates Moscahlades and Stylianos Moscahlades, trading and doing business under the name of Moscahlades Bros., at New York, N. Y., alleging shipment by the said defendants, in violation of the Food and Drugs Act, as amended, on or about January 29, 1919, from the State of New York into the State of Delaware, of a quantity of an article, labeled in part "Apollo Brand Extra Refined Pure Olive Oil Specially Imported and Packed by Moscahlades Bros. N. Y. Guaranteed By Us Net Contents  $\frac{1}{4}$  Gallon," which was misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the cans were short volume.

Misbranding of the article was alleged in the information in that a statement regarding the article on the label on the can containing the article, to wit, " $\frac{1}{4}$  Gallon," was false and misleading in that it represented that each can contained  $\frac{1}{4}$  gallon of the article, whereas it contained a less amount; said article was further misbranded in that the above labeling was so as to deceive and mislead the purchaser into the belief that each can contained  $\frac{1}{4}$  gallon of the article, whereas it contained a less amount. The article was further misbranded in that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On March 24, 1920, the defendants entered a plea of guilty to the information, and the court imposed a fine of \$75.

E. D. BALL, *Acting Secretary of Agriculture.*

**7836. Adulteration and misbranding of canned tomatoes. U. S. \* \* \* v. 600 Cases and 800 Cases \* \* \* Duke of Maryland Brand Tomatoes. Consent decree of condemnation and forfeiture. Product ordered released under bond. (F. & D. Nos. 11553, 11554. I. S. Nos. 13986-r, 13987-r. S. Nos. E-1876, E-1887.)**

On December 16, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 600 cases and 800 cases, each containing 24 cans, labeled "Duke of Maryland Brand Tomatoes," remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about October 7, 1919, and October 24, 1919, by J. B. Andrews & Co., Hurlock, Md., and transported from the State of Maryland into the State of New York, and charging adulteration and misbranding under the Food and Drugs Act. The article was labeled in part, "Duke of Maryland Brand Tomatoes \* \* \*. Packed by J. B. Andrews & Co. Hurlock, Md."

Adulteration of the article was alleged in the libels for the reason that tomato pulp had been mixed and packed with, and substituted wholly or in part for, canned tomatoes, which the product purported to be.

Misbranding of the article was alleged for the reason that the package and its label bore statements, designs, and devices regarding the article and the ingredients and substances contained therein which were false and misleading and deceived and misled the purchaser, and for the further reason that the article was an imitation of and was offered for sale and sold under the distinctive name of, another article, to wit, tomatoes.

On February 20, 1920, Albert W. Sisk, claimant, having filed a stipulation admitting the truth of the allegations of the libel and consenting to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of bonds in the sums of \$1,200 and \$900, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7837. Adulteration of evaporated apples. U. S. \* \* \* v. 300 Boxes of Evaporated Apples. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11895. I. S. No. 3094-r. S. No. W-566.)**

On or about January 25, 1920, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 300 boxes of evaporated apples, remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about October 27, 1919, consigned by A. C. Hamilton & Co., Fayetteville, Ark., and transported from the State of Arkansas into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Ulster Brand Evaporated Apples. Packed by A. C. Hamilton and Co., Fayetteville, Ark. Prepared with Salt in Solution."

Adulteration of the article was alleged in the libel in that water had been mixed and packed with the article so as to reduce and lower and injuriously affect the quality and strength of the article, and for the further reason that water had been substituted in part for evaporated apples.

On February 28, 1920, W. J. Hamilton, claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant upon the payment of the costs of the proceedings and the execution of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7838. Adulteration and misbranding of canned tomatoes. U. S. \* \* \* v. 2,132 Cases of Canned Tomatoes. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 12072. I. S. Nos. 9091-r, 9092-r. S. No. C-1680.)**

On January 17, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2,132 cases of canned tomatoes, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on October 31, 1919, and November 3, 1919, by the Chino Canning Co., Chino, Calif., and transported from the State of California into the State of Missouri, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that tomato pulp had been mixed and packed with, and substituted in part for, canned tomatoes.

Misbranding of the article was alleged in the libel in that the statements on the label on the cans containing the article, to wit, "La Segunda Brand Table Quality Tomatoes" (picture of whole tomato) "California Grown with Pure Tomato Juice Where Everything Grows Chino Canning Company Chino Calif. Net Contents 1 lb. 12 oz," were false and misleading, and deceived and misled the purchaser into the belief that the product consisted wholly of tomatoes,



whereas it contained tomato pulp. It was further misbranded in that the product was an imitation of, and sold under the distinctive name of, another article.

On March 10, 1920, the Chino Canning Co., Chino, Calif., having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant on the payment of the costs of the proceeding and the execution of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7839. Adulteration of evaporated apples. U. S. \* \* \* v. 10 Boxes of Evaporated Apples.** Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 11899. I. S. No. 7750-r. S. No. C-1689.)

On January 27, 1920, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 boxes of evaporated apples, remaining unsold in the original unbroken packages at Anoka, Minn., consigned by J. W. Teasdale & Co., St. Louis, Mo., alleging that the article had been shipped on or about October 28, 1919, and transported from the State of Missouri into the State of Minnesota. The article was labeled in part, "Sunset brand evaporated or dried product of Apples."

Adulteration of the article was alleged in the libel in that water had been mixed and packed with, and substituted in part for, the article.

On March 18, 1920, J. W. Teasdale & Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant under a bond in the sum of \$100, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7840. Adulteration of Vinol. U. S. \* \* \* v. 539 Cases of a Drug Labeled in Part "Vinol."** Consent decree of release of part of the article for export<sup>1</sup> and of condemnation and forfeiture of the remainder. Product released on bond. (F. & D. No. 9532. I. S. Nos. 14257-r, 14258-r, 14259-r, 14277-r, 14288-r. S. No. E-1140.)

On December 23, 1918, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 539 cases of a drug, labeled in part "Vinol," remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on November 7, and November 22, 1917, August 8, 1918, July 8, 1918, and March 13, 1918, by Frederick Stearns & Co., Detroit, Mich., and transported from the State of Michigan into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Vinol \* \* \* for the restoration of force in man \* \* \* reconstructor for sick \* \* \* nervous persons \* \* \* and for nursing mothers \* \* \* General Debility. For the Treatment of Chronic or Simple Catarrhs, Cough and Bronchitis, Chronic Bronchitis, Pulmonary Tuberculosis, Pulmonary Debility, Incipient Tuberculosis \* \* \*

<sup>1</sup> Released under the proviso in section 2 of the act as an article intended for export to foreign countries, and as having been prepared according to the specifications of foreign purchasers.

Delicate Children, Restless sleep \* \* \* Rickets, Scant and Impure Blood, Wasting \* \* \*."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it consisted essentially of sherry wine containing protein matter, organic iron (iron peptonate), citrate of iron and ammonium, salicylates, phosphates, and probably glycerophosphates of sodium, potassium and calcium, and sodium chlorid.

Misbranding of the article was alleged in the libel in that the statements in a foreign language and in English on the labels on the bottles containing, and on the cartons enclosing, and in the circulars accompanying the article, regarding the therapeutic and curative effects of the article, in part, to wit, "Vinol \* \* \* for the restoration of force in man \* \* \* reconstructor for sick \* \* \* nervous persons \* \* \* and for nursing mothers \* \* \* General Debility \* \* \* for the upbuilding of wasted human strength and vitality \* \* \* to tone up the whole organism and for the treatment of pulmonary and bronchial affections \* \* \* For the Treatment of Chronic or Simple Catarrhs, Cough and Bronchitis, Chronic Bronchitis, Pulmonary Tuberculosis, Pulmonary Debility, Incipient Tuberculosis \* \* \* Delicate Children, Restless Sleep \* \* \* Rickets, Scant and Impure Blood, Wasting \* \* \* the medicinal and restorative elements of cod liver oil \* \* \* using in place of cod liver oil, its extract, combining the medicinal elements \* \* \* such a thing takes place with \* \* \* 'Vinol,' \* \* \* especially recommended for delicate children, lack of spirit, indigestion, physical exhaustion, general weakness, obstinate cold and bronchitis, chronic cough and cold, pulmonary phthisis, chronic weakness, incipient phthisis, cold in lungs, delicacy and nervousness, delicate children, restless sleep, toning up of the stomach \* \* \* twofold benefit on old people by regulating the stomach and giving them new strength, the best reconstructive agent for impaired strength and vitality of the human body \* \* \* all the curative qualities of this remedy \* \* \* weak lungs, consumption, cures and strengthens the diseased parts and the inflamed tissue of the lungs, invigorates the sufferer's system and gives him strength to conquer the disease \* \* \* it possesses the necessary qualities to replace debility with new strength, goes to the root of the disease, enriches the blood and gives force to all the muscles, nerves and organs of the body \* \* \* Debilitated Women \* \* \* women \* \* \* become more tired, weak, thin, nervous and without vitality \* \* \* exert themselves beyond their power and these efforts become visible in diseases of the stomach, and in many cases in the form of some terrible female ill, which every woman is anxious to avoid. When in these conditions \* \* \* should try Vinol," were false and fraudulent in that the article contained wine, protein matter, iron in organic combination, such as a peptonate and ammonium citrate and phosphates, probably glycerophosphates of calcium, sodium, and potassium, with a little sodium chlorid; the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it in the above statements. It was further misbranded in that the statements on the circular accompanying the article regarding the article, to wit, "Vinol \* \* \* the medicinal and restorative elements of cod liver oil \* \* \* using in place of cod liver oil, its extract, containing its medicinal elements \* \* \* such a thing takes place with \* \* \* Vinol," were false and misleading in that the article did not possess the qualities claimed for it in the above statements. Misbranding was further alleged in the libel as to some of the shipments in that the article making up these shipments contained alcohol, and no label affixed to the bottle containing the article had stated on it the quantity or proportion of the alcohol in the article.

On May 28, 1919, Chester Kent & Co. (Inc.), claimant, having consented to a decree, judgment ordering the release of part of the article for export and of condemnation and forfeiture of the remainder was entered, and it was ordered by the court that this remainder of the product be released to the claimant upon the payment of the costs of the proceedings and the execution of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

7841. Adulteration and misbranding of cottonseed meal. U. S. \* \* \* v. Dixie Cotton Oil Mill, a Corporation. Plea of guilty. Fine, \$275. (F. & D. No. 9811. I. S. Nos. 1548-p, 1549-p, 1550-p, 9265-p, 11914-p.)

On August 13, 1919, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Dixie Cotton Oil Mill, a corporation, Little Rock, Ark., alleging shipment on or about April 27, 1918, May 1, 1918, April 23, 1918, and May 2 and 3, 1918, in violation of the Food and Drugs Act, as amended, from the State of Arkansas into the States of New York, Illinois, and Missouri, of quantities of cottonseed meal which was adulterated and misbranded. The article in the shipment of April 27 was labeled as follows, "Butterfly Meal Guaranteed Analysis 100 lbs. Gross—99 Net Protein 38.62 to 41 per cent Fat 6 to 8 per cent Crude Fiber 8 to 12 per cent Carbohydrates 24 to 28 per cent Made from Decorticated Cotton Seed W. C. Nothern, Shipper, 205-6-7 Riegler Bldg. Little Rock, Ark.," and the article in the shipments of May 1, 2, and 3 was labeled as follows, "Butterfly Meal Guaranteed Analysis 100 lbs. Gross—99 Net Protein 38.62 per cent Fat 6 per cent Crude Fiber 8 per cent Carbohydrates 24 per cent Made from Decorticated Cotton Seed W. C. Nothern, Shipper, 205-6-7 Riegler Bldg. Little Rock, Ark." The article in the shipment of April 23 was unlabeled but was invoiced as "7% Cotton Seed Meal."

Analyses of samples of the product by the Bureau of Chemistry of this department showed the following results:

	Shipment of—			
	Apr. 27.	May 1.	May 2.	May 3.
Protein (per cent).....	35.9	35.4	35.9	35.8
Crude fiber (per cent).....	13.7	12.6	11.5	12.1

The article in the shipment of April 23 contained 6.55 per cent of ammonia.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed hulls, had been mixed and packed with the article so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for cottonseed meal, which the article purported to be.

Misbranding of the article was alleged in the information for the reason that the shipment made April 27, 1918, bore the statements, to wit, "Meal," "Guaranteed analysis \* \* \* Protein 38.62 to 41 per cent \* \* \* Crude Fiber 8 to 12 per cent," on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, which statements were false and misleading, and for the reason that it was labeled so as to deceive and mislead the purchaser in that it was represented that said



article consisted wholly of cottonseed meal and contained not less than 38.62 per cent of protein and not more than 12 per cent of crude fiber, whereas, in truth and in fact, said article did not consist wholly of cottonseed meal, but did consist in part of cottonseed hulls, and said article did contain less than 38.62 per cent of protein and more than 12 per cent of crude fiber. Misbranding was alleged with respect to the shipments of May 1, 2, and 3, 1918, in that the statements, to wit, "Meal," "Made from Decorticated Cotton Seed," "Guaranteed Analysis \* \* \* Protein 38.62 per cent \* \* \* Crude Fiber 8 per cent," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, were false and misleading, and for the reason that it was labeled so as to deceive and mislead the purchaser in that it was represented that said article consisted wholly of cottonseed meal, and that said article contained not less than 38.62 per cent of protein and not more than 8 per cent of crude fiber, whereas, in truth and in fact, said article did not consist wholly of cottonseed meal, but did consist in part of cottonseed hulls and did contain less than 38.62 per cent of protein and more than 8 per cent of crude fiber. Misbranding of the article was alleged with respect to the shipment on April 23, 1918, in that the article was a mixture composed in part of cottonseed hulls which contained only 6.55 per cent of ammonia prepared in imitation of 7 per cent ammonia cottonseed meal, and was offered for sale and sold under the distinctive name of another article, to wit, 7 per cent ammonia cottonseed meal. Misbranding was alleged with respect to the shipment of April 23, 1918, in that the article was food in package form, and the quantity of the contents thereof was not plainly and conspicuously marked on the outside of the package.

On December 22, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$275.

E. D. BALL, *Acting Secretary of Agriculture.*

**7842. Misbranding of Mir-A-Co. U. S. \* \* \* v. 38 Bottles of Mir-A-Co. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11167. I. S. No. 6789-r. S. No. C-1444.)**

On September 13, 1919, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 38 bottles of Mir-A-Co, remaining unsold in the original unbroken packages at New Orleans, La., alleging that the article had been shipped on or about June 30, 1919, by the Mir-A-Co Co., Houston, Tex., and transported from the State of Texas into the State of Louisiana, and charging misbranding under the Food and Drugs Act as amended. The article was labeled in part, "Mir-A-Co \* \* \* Nature's Gift \* \* \* A concentrated artificial mineral water, free from alcohol or any added drug \* \* \* Anti-septic-tonic-styptic \* \* \*. The Mir-A-Co Company, Houston, Texas; U. S. A."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

	Grams per liter.
Sulphur, as $\text{SO}_2$ -----	53.358
Iron, as $\text{Fe}_2\text{O}_3$ -----	30.224
Phosphorus, as $\text{P}_2\text{O}_5$ -----	0.383
Alumina, as $\text{Al}_2\text{O}_3$ -----	1.079
Chlorin-----	0.140

Misbranding of the article was alleged in substance in the libel for the reason that the following statements which appeared on the label and in the booklet, to wit, "Analysis: 87.260 g. Sulphur as  $\text{SO}_3$  per Liter, 36.420 g. Iron as  $\text{Fe}_2\text{O}_3$  per Liter, 0.250 g. Silica per Liter. 0.638 g., Phosphorous as  $\text{P}_2\text{O}_5$  per Liter, 19.442 g. Alumina as  $\text{Al}_2\text{O}_3$  per Liter, 1.340 g. Magnesia as  $\text{MgO}$  per Liter, 0.012 g. Chlorine per Liter. Furthermore, traces of Lime, Potash and Soda," were false and misleading, since the actual analysis was as above indicated.

Misbranding was alleged in substance for the further reason that the following statements regarding the curative and therapeutic effects of the article were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton and bottle) " \* \* \* For \* \* \* promoting the digestion, strengthening the stomach \* \* \* vitalizing the nerves, relieving bacterial rheumatism \* \* \* for colic, diarrhœa and summer complaint \* \* \* for burns, cuts, insect bites, itch, nose bleed, sores, ulcers, wounds, etc. \* \* \*;" (booklet) " \* \* \* for promoting the digestion, strengthening the stomach \* \* \* vitalizing the nerves and relieving bacterial rheumatism. Colic and Diarrhœa \* \* \* for relieving colic, cramp, diarrhœa, chronic dysentery and summer complaint \* \* \* for abscesses, boils, burns, catarrh, cuts, hay fever, hemorrhoids, insect bites, itch, leucorrhœa, nose bleed, scalds, sores, ulcers, wounds, etc. \* \* \*;" (testimonial, page 11) " \* \* \* it has completely relieved a rheumatic ailment that has been bothering me for several years;" (page 12) " \* \* \* I am now nearly 72 years old and for 30 years I have been a sufferer from indigestion, but now I eat anything I crave, and feel no serious inconvenience, due to my having taken not quite all the contents of only one bottle of your discovery that you call Mir-A-Co. \* \* \*;" (page 13) " \* \* \* I suffered from indigestion. My sister-in-law sent me part of a bottle of Mir-A-Co. The first dose helped me and in a little while I felt good and could eat anything I wanted. Ever since we keep a bottle in the house and I can't imagine how we could get along without it \* \* \*;" " \* \* \* My hand has been swollen for a year and a half and useless for over a year and at times the rheumatic pains were almost unbearable. Now, after having taken 2 bottles of your wonderful Mir-A-Co mineral water the swelling and the pain have disappeared and I am again a two-handed man \* \* \*;" (page 14) " \* \* \* For 9 years I have used Mir-A-Co and feel that it has practically been the means of saving my life for I was nearly dead with kidney trouble and indigestion \* \* \*;" " \* \* \* For years I have had stomach trouble and indigestion and have found no relief only in Mir-A-Co;" (page 15) " \* \* \* Directions for using \* \* \* For promoting the digestion, strengthening the stomach, vitalizing the nerves, and relieving bacterial rheumatism \* \* \* for colic, diarrhœa and summer complaint \* \* \* for abscesses, boils, burns, cuts, hemorrhoids, insect bites, itch, scalds, sores, ulcers, wounds, etc. \* \* \* for catarrh, nose bleed, hay fever, hemorrhoids (blind or bleeding), leucorrhœa, sore throat, etc. \* \* \* for ulcerous affliction of the uterus, use Mir-A-Co in combination with pure glycerine, as a pack \* \* \*."

On January 17, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7843. Adulteration and misbranding of evaporated apples. U. S. \* \* \* v. 1,200 Cases of Evaporated Apples. Consent decree of condemnation and forfeiture. Product released on bond.** (F. & D. Nos. 12112, 12113. I. S. Nos. 35-r, 36-r. S. Nos. E-1934, E-1935.)

On January 29, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,200 cases of evaporated apples, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about December 27, 1919, by Garcia & Maggini Co., San Francisco, Calif., and transported from the State of California into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Bon Ton Brand California Fancy Evaporated Apples Packed by Garcia & Maggini Company, San Francisco, California."

Adulteration of the article was alleged in that excessive amounts of water had been mixed and packed with, and substituted in part for, evaporated apples.

Misbranding of the article was alleged in that the statement on the label affixed to the boxes containing the article, to wit, "Fancy Evaporated Apples," was false and misleading and deceived and misled the purchaser. Further misbranding was alleged in that the article was an imitation of, and offered for sale under the distinctive name of, another article. Further misbranding was alleged in that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On March 19, 1920, Anthony J. Coccaro and Joseph J. Coccaro, claimants, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimants upon the payment of the costs of the proceedings and the execution of a bond, conditioned in part that the article be resorted and reevaporated under the supervision of an inspector of the Department of Agriculture and be sold in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7844. Misbranding of hog cholera specific. U. S. \* \* \* v. 5 Packages of Hog Cholera Specific. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 11930. I. S. No. 8874-r. S. No. C-1698.)

On February 10, 1920, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 packages of hog cholera specific, remaining unsold in the original unbroken packages at Jackson, Minn., alleging that the article had been shipped by the Pratt Food Co., Chicago, Ill., on or about May 16, 1916, and transported from the State of Illinois into the State of Minnesota, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Pratts Hog Cholera Specific \* \* \* Blood Purifier \* \* \* Disease Eradicator. \* \* \* For Hog Cholera and other hog diseases."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a mixture of fenugreek, gentian, ginger, powdered charcoal, and iron salts.

Misbranding of the article was alleged in the libel in that the product contained no ingredient or combination of ingredients capable of producing the



following curative and therapeutic effects claimed for it: "Effective as a remedy, treatment, cure, or specific for hog cholera; to prevent hog cholera; as a remedy, treatment, cure, or specific for the disease peculiar to hogs; to prevent diseases of hogs; as a blood purifier or disease eradicator in hogs; as a remedy, treatment, cure, or specific for thumps, diphtheria, scours, catarrh, rheumatism, or apoplexy in hogs"; that the above statements were false and fraudulent.

On March 23, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the property be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7845. Misbranding of Dr. Harper's Anti-Cholera Tonic for Hogs. U. S. \* \* \* v. 184 Packages of Dr. Harper's Anti-Cholera Tonic for Hogs. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 11831, 11862, 11863, 11864, 11865, 11866. I. S. Nos. 8752-r, 8739-r. S. Nos. C-1651, C-1592.)

On January 9, 1920, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 184 packages of Dr. Harper's Anti-Cholera Tonic for Hogs, 48 of which packages remained unsold in the original unbroken packages at Salina, Okla., 24 at Porter, Okla., 12 at Mazie, Okla., 54 at Locust Grove, Okla., 24 at Big Cabin, Okla., and 22 at Adair, Okla., alleging that the article had been shipped by the Elite Chemical Co., Watertown, Tenn., on May 29, 1919, and transported from the State of Tennessee into the State of Oklahoma, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a mixture of sodium bicarbonate and sulphate, sulphur, iron oxid, and vegetable material, including fragments of seeds and hulls.

Misbranding of the article was alleged in substance in the libel for the reason that the cartons and circulars inside the cartons bore and contained statements regarding the curative and therapeutic effects of said drug article and of the ingredients and substances contained therein which were false and fraudulent in that said article contained no ingredient or combination of ingredients capable of producing the following curative and therapeutic effects claimed for it on the carton, circular, and shipping case, reading as follows, to wit, (carton) "Dr. Harper's Anti-Cholera Tonic for Hogs. Given to Prevent Diseases of Swine \* \* \* For Worms \* \* \* 'How to Prevent Hog Cholera.' \* \* \*," (circular) "How to Prevent Cholera \* \* \* About every other day give to each hog a tablespoonful of Dr. Harper's Anti-Cholera \* \* \* in most cases acts as preventive to disease. \* \* \* Use Anti-Cholera and you will have no sick hogs to cure. Your hogs will gain in weight and the meat will be free from disease. \* \* \*," (shipping case) "Dr. Harper's Hog and Poultry Remedies Cure or Money Back."

On March 30, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7846. Adulteration and misbranding of sliced smoked salmon. U. S. \* \* \* v. S. Schmidt & Co., a Corporation. Plea of guilty. Fine, \$20. (F. D. No. 11996. I. S. No. 7503-r.)**

On March 10, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against S. Schmidt & Co., a corporation, New York, N. Y., alleging shipment by the defendant, on or about May 13, 1918, in violation of the Food and Drugs Act, from the State of New York into the State of Illinois, of a quantity of an article, labeled in part "Sliced Smoked Salmon Katina Brand John G. Neumeister Company Michael Altman, President In Sesame Oil Packed by S. Schmidt & Co., New York," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the fish in a large number of the cans examined had a putrid, offensive odor, and that the oil used in packing the fish was practically all cottonseed oil.

Adulteration of the article was alleged in that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance. It was further adulterated in that a substance, to wit, cottonseed oil, had been mixed and packed with the article so as to lower and reduce and injuriously affect its quality. It was further adulterated in that a substance, to wit, cottonseed oil, had been substituted in part for smoked salmon and sesame oil, which the article purported to be.

Misbranding of the article was alleged in that the statement on the cans containing the article, regarding the article and the ingredients and substances contained therein, to wit, "Smoked Salmon In Sesame Oil," was false and misleading in that it represented that the article was a product which contained sesame oil, whereas it was not smoked salmon and sesame oil and contained no sesame oil. It was further misbranded in that it was labeled so as to deceive and mislead the purchaser into the belief that the article was smoked salmon and sesame oil, whereas it contained no sesame oil, but contained cottonseed oil prepared in imitation of smoked salmon in sesame oil, and was offered for sale under the distinctive name of another article, to wit, smoked salmon in sesame oil.

On March 18, 1920, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$20.

E. D. BALL, *Acting Secretary of Agriculture.*

**7847. Adulteration and misbranding of canned tuna fish. U. S. \* \* \* v. 630 Cases of a Product Purporting to be Canned Tuna Fish. Consent decree of condemnation and forfeiture. Article ordered released on bond. (F. & D. Nos. 12007, 12008, 12009, 12010, 12011, 12012, 12013, 12014, 12015. I. S. Nos. 13523-r, 13525-r, 14151-r. S. Nos. E-1909, E-1911.)**

On January 6, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 630 cases of a product purporting to be canned tuna fish, remaining unsold in the original unbroken packages within the jurisdiction of the Southern District of New York, alleging that the article had been shipped on or about September 25, 1919, and October 2, 1919, by the White Star Canning Co., E. San Pedro, Calif., and transported from the State of California into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article in 222 cases of the shipment of September

25, 1919, was labeled in part, "Del Monte Brand California Tuna \* \* \* Distributed by California Packing Corporation \* \* \* San Francisco, California," and in 408 cases of the shipment of October 2, 1919, was labeled in part, "Radio Brand Blue Fin White Meat Tuna Selected White Meat of California Tuna White Star Canning Co., San Pedro, Calif."

Adulteration of the article was alleged in the libel for the reason that in 222 cases skip-jack, also known as bonita, a kind of fish other than tuna fish, had been mixed and packed with, and substituted in part for, California tuna fish, which the article purported to be, and in 408 cases striped tuna fish (*Gymnosarda peltamis*), a kind of fish other than California tuna, had been mixed and packed with, and substituted in part for, California tuna fish, which the article purported to be.

Misbranding of the article was alleged in that the labels on the packages and the designs and the devices thereon, regarding the article and the ingredients and substances contained therein, were false and misleading, to wit, in the case of 222 cases the statement, "California tuna," and in the 408 cases the statement, "Blue Fin White Meat Tuna \* \* \* Selected White Meat of California Tuna \* \* \* Blue Fin Tuna \* \* \*." Further misbranding was alleged in that the products were imitations of, and offered for sale under the distinctive names of, other articles, to wit, California tuna.

On February 20, 1920, the White Star Canning Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon the payment of the costs of the proceedings and the execution of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7848. Adulteration and misbranding of saccharin. U. S. \* \* \* v. 29 Pounds of Alleged Saccharin. Default decree of condemnation and forfeiture. Product ordered sold or destroyed. (F. & D. No. 9403. I. S. No. 5987-r. S. No. C-995.)**

On October 19, 1918, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 pounds of alleged saccharin, remaining unsold in the original unbroken packages at Birmingham, Ala., alleging that the article had been shipped on or about August 1, 1918, by H. E. Ward, Webster Groves, Mo., and transported from the State of Missouri into the State of Alabama, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that it was sold under and by a name recognized in the U. S. Pharmacopœia, and that it differed from the standard of strength, quality, and purity as determined by the test laid down in the Pharmacopœia, official at the time of the investigation, and in that its strength and purity fell below the professed standard and quality under which it was sold.

Misbranding of the article was alleged in that the statement on the label on the package containing the article, "A Soda Salt of Pure Saccharin," was false and misleading in that it indicated that the article was a salt of pure saccharin, whereas it was not, but contained 29.5 per cent of a sugar product, and in that it was an imitation of, and offered for sale under the name of, another article, to wit, saccharin.

On September 24, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the



court that the product be sold or destroyed by the United States marshal, in conformity with section 10 of the act. Costs of the proceedings were taxed against H. E. Ward, consignor of the product.

E. D. BALL, *Acting Secretary of Agriculture.*

**7849. Misbranding of Alkano. U. S. \* \* \* v. 30 Bottles of Alkano. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11015. I. S. No. 2193-r. S. No. W-447.)**

On July 23, 1919, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 30 bottles of Alkano, at Los Angeles, Calif., alleging that the article had been shipped by the Alkano Remedy Co., Kansas City, Mo., on or about March 28, 1919, and transported from the State of Missouri into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Alkano \* \* \* For rheumatism, blood poison, and its attendant ills and after effects."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of potassium iodid, plant extractives, including resins, saponin, strychnine, glycerin, invert sugar, alcohol, and water. Mercury salts were absent.

Misbranding of the article was alleged in that the statements on the label on the bottle containing the article, regarding the therapeutic effects of the article, to wit, "Alkano \* \* \* For rheumatism, blood poison, and its attendant ills and after effects, scrofula, old sores, ulcerous conditions, skin diseases, constitutional catarrh, stomach trouble, auto toxemia, run-down condition, and kindred ailments \* \* \*," were false and fraudulent in that the contents of each of the bottles contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed for the article.

On September 15, 1919, no claimant having appeared for the property, judgment of condemnation, forfeiture, and destruction was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7850. Adulteration and misbranding of oil of sweet birch. U. S. \* \* \* v. 19 Pounds of a Product Purporting to be Oil of Sweet Birch. Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 12114. I. S. No. 545-r. S. No. E-1930.)**

On January 19, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 19 pounds of a product purporting to be oil of sweet birch, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about January 5, 1920, by J. E. Ray, Elk Park, N. C., and transported from the State of North Carolina into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained synthetic methyl salicylate.

Adulteration of the article was alleged in that it was sold under a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the tests laid down in the

United States Pharmacopœia, official at the time of the investigation, and its own standard of strength, quality, and purity was not plainly stated upon its container, and in that its strength and purity fell below the professed standard and quality under which it was sold. It was further adulterated in that synthetic methyl salicylate had been mixed and packed with, and substituted in part for, the product.

The article was misbranded in that it was an imitation of, and offered for sale under the name of, another article, to wit, oil of sweet birch, and was further misbranded in that it was an imitation of, and offered for sale under the distinctive name of, another article, to wit, oil of sweet birch.

On April 17, 1920, no claimant having appeared, decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold at public auction by the United States marshal, labeled as an imitation of oil of sweet birch, according to section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

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# United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

## SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 7851-7900.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., December 2, 1920.]

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**7851. Adulteration and misbranding of birch oil. U. S. \* \* \* v. 2 Cans \* \* \* Purporting to be Birch Oil. Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 12116. I. S. No. 4-r. S. No. E-1940.)**

On January 22, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 37½ pounds of a product purporting to be birch oil, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about January 11, 1920, by D. C. Hicks, Shell Creek, Tenn., and transported from the State of Tennessee into the State of New York, and charging adulteration and misbranding under the Food and Drugs Act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted largely or wholly of synthetic methyl salicylate.

Adulteration of the article was alleged in that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the test laid down in the said United States Pharmacopœia, official at the time of the investigation, and its own standard of strength, quality, and purity was not plainly stated upon the container, and in that its strength and purity fell below the professed standard and quality under which it was sold. It was further adulterated in that synthetic methyl salicylate had been mixed and packed with and substituted in part for the article.

Misbranding was alleged in that the article was an imitation of and offered for sale under the distinctive name of another article, to wit, birch oil. It was further misbranded in that it was an imitation of and offered for sale under the name of another article, to wit, birch oil.

On April 22, 1920, no claimant having appeared, a decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold at public auction by the United States marshal, labeled as imitation of birch oil, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7852. Adulteration and misbranding of birch oil and oil of sweet birch. U. S. \* \* \* v. 3 Cans \* \* \* of a Product Purporting to be Birch Oil, U. S. \* \* \* v. 3 Cans \* \* \* of a Product Purporting to be Oil of Sweet Birch, and U. S. \* \* \* v. 1 Can \* \* \* of a Product Purporting to be Oil of Sweet Birch. Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. Nos. 11659, 11660, 11661. 1. S. Nos. 533-r, 532-r, 531-r. S. Nos. E-1854, E-1855, E-1856.)**

On December 14, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 3 cans of a product purporting to be birch oil, 3 cans of a product purporting to be oil of sweet birch, and 1 can of a product purporting to be oil of sweet birch, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the articles had been shipped on or about October 28, 1919, by M. G. Teaster, Johnson City, Tenn., on October 31, 1919, by T. J. Ray, Newland, N. C., and on or about November 4, 1919, by T. J. Ray, Johnson City, Tenn., and transported from the States of Tennessee and North Carolina into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that they contained synthetic methyl salicylate.

Adulteration of the articles was alleged in the libels in that the articles were sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the tests laid down in the United States Pharmacopœia. They were further adulterated in that the strength and purity of the articles fell below the professed standard and quality under which they were sold, and in that a substance, to wit, synthetic methyl salicylate, derived from a source other than birch, had been mixed and packed with them so as to reduce and lower and injuriously affect their quality and strength, and in that a substance, to wit, synthetic methyl alcohol, derived from a source other than birch, had been substituted in part for the said products, to wit, birch oil and oil of sweet birch.

The articles were misbranded in that they were an imitation of and sold under the name of another article, to wit, birch oil. They were further misbranded in that they were an imitation of and sold under the distinctive name of another article, to wit, birch oil. The articles were further misbranded in that they were labeled so as to deceive and mislead the purchaser into the belief that they were composed wholly of birch oil, whereas they consisted in part of synthetic methyl salicylate, derived from a source other than birch. They were further misbranded in that the packages containing the products bore a statement, to wit, "Birch Oil," or "Oil of Sweet Birch" regarding the products contained therein, which was false and misleading—false in that the products were not composed wholly of birch oil but were in part composed of synthetic methyl salicylate, derived from a source other than birch, and misleading in that it led the purchaser to believe that the articles were composed wholly of birch oil, whereas they consisted in part of synthetic methyl salicylate, derived from a source other than birch.

On April 17, 1920, and on April 27, 1920, no claimant having appeared, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be sold at public auction by the United States marshal, labeled as imitations of birch oil and oil of sweet birch, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7853. Adulteration and misbranding of oil of sweet birch, birch oil, and wintergreen oil. U. S. \* \* \* v. 2 Cans \* \* \* of a Product Purporting to be Birch Oil and 1 Can \* \* \* of a Product Purporting to be Wintergreen Oil. U. S. \* \* \* v. 1 Can \* \* \* of a Product Purporting to be Oil of Sweet Birch and 1 Can \* \* \* of a Product Purporting to be Wintergreen Leaf Oil. Default decree of condemnation and forfeiture. Product ordered sold.** (F. & D. Nos. 11882, 11883. I. S. Nos. 540-r, 541-r, 542-r, 543-r. S. Nos. E-1925, E-1927.)

On January 14, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 2 cans containing a product purporting to be birch oil, 1 can containing a product purporting to be wintergreen oil, 1 can containing a product purporting to be oil of sweet birch, and 1 can containing a product purporting to be wintergreen leaf oil, at New York, N. Y., alleging that the articles had been shipped on or about December 31, 1919, by the Green Goods Supply Shop, Johnson City, Tenn., and on or about December 27, 1919, by D. A. Winters, Johnson City, Tenn., and transported from the State of Tennessee into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that they contained synthetic methyl salicylate.

Adulteration of the articles was alleged in that they were sold under names recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the tests laid down in the said Pharmacopœia, official at the time of the investigation, and in that their own strength and purity fell below the professed standard or quality under which they were sold. The articles were further adulterated in that synthetic methyl salicylate had been mixed and packed with the products so as to reduce and lower and injuriously affect their quality and strength, and in that synthetic methyl salicylate had been substituted wholly or in part for the products.

Misbranding was alleged in that the articles were imitations of, and sold under the names of, other articles, to wit, birch oil, oil of sweet birch, wintergreen oil, and wintergreen leaf oil, respectively. The articles were further misbranded in that the statements, appearing upon the labels on the packages containing the article, were false and misleading, and deceived and misled the purchaser, and in that they were imitations of, and sold under the distinctive names of, other articles.

On April 17, 1920, and on May 1, 1920, no claimant having appeared in one case, and Thomas J. Ray having appeared as claimant in the other case and having defaulted in answer, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be sold by the United States marshal at public auction as imitations of birch oil, oil of sweet birch, and wintergreen oil, respectively, under section 10 of the act, and that costs of the proceedings in which Thomas J. Ray appeared as claimant be taxed against Thomas J. Ray in the sum of \$28.17.

E. D. BALL, *Acting Secretary of Agriculture.*



**7854. Adulteration of tomato sauce. U. S. \* \* \* v. 24 Cases of Royal Kitchen Brand Page Tomato Sauce and Mt. Etna Brand Tomato Sauce. Default decrees of condemnation, forfeiture, and destruction. (F. & D. No. 12071. I. S. Nos. 15189-r, 15190-r. S. No. E-1931.)**

On January 15, 1920, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the condemnation and forfeiture of 24 cases of an article, labeled "Royal Kitchen Brand Page Tomato Sauce," and of an article, labeled "Mt. Etna Brand Concentrated Tomato," remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about October 11, 1919, consigned by Thomas Page, Albion, N. Y., and transported from the State of New York into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in that the article consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On February 3, 1920, no claimant having appeared for the property, judgment of condemnation, forfeiture, and destruction was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7855. Misbranding of dairy feed. U. S. \* \* \* v. William A. Thornton and Richard M. Stegall (Stegall & Thornton Co.). Pleas of guilty. Fine, \$100 and costs. (F. & D. No. 8677. I. S. No. 3227-m.)**

At the April, 1918, term of the District Court of the United States for the Eastern District of Tennessee, the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in the District Court aforesaid an information against William A. Thornton and Richard M. Stegall, doing business as Stegall & Thornton Co., Chattanooga, Tenn., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about April 12, 1917, from the State of Tennessee into the State of Georgia, of a quantity of an article, labeled in part "Lookout Dairy Feed," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

	Per cent.
Ether extract (crude fat)-----	1.97
Crude fiber-----	28.3
Protein (N X 6.25)-----	11.6
Nitrogen-----	1.86

Misbranding of the article was alleged in substance in the information for the reason that the statement, "Protein 20 per cent Fat 04 per cent Fibre 25 per cent," borne on the label, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented to purchasers thereof that it contained not less than 20 per cent of protein, not less than 4 per cent of fat, and not more than 25 per cent of fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 20 per cent of protein, not less than 4 per cent of fat, and not more than 25 per cent of fiber, whereas, in truth and in fact, it contained less protein and fat and more fiber than was declared on the label, to wit, approximately 11.6 per cent of protein, 1.97 per cent of fat, and 28.3 per cent of fiber.

On April 22, 1918, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$100 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**7856. Adulteration of milk. U. S. \* \* \* v. Amos C. Elms. Plea of guilty. Fine, \$10 and costs.** (F. & D. No. 8492. I. S. Nos. 2880-m, 2203-p.)

On December 12, 1917, the United States attorney for the District of New Hampshire, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Amos C. Elms, Lisbon, N. H., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about May 21, 1917, and July 2, 1917, from the State of New Hampshire into the State of Massachusetts, of quantities of milk which was adulterated.

Analysis by the Bureau of Chemistry of this department showed that in the shipment of May 21, 1917, the milk had been skimmed and watered, and that in the shipment of July 2, 1917, the milk had been skimmed.

Adulteration of the milk shipped May 21, 1917, was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower or reduce and injuriously affect its quality, and had been substituted in part for milk, which the article purported to be, and for the further reason that a valuable constituent of the article, to wit, butter fat, had been wholly or in part abstracted.

Adulteration of the milk shipped July 2, 1917, was alleged for the reason that a valuable constituent of the article, to wit, butter fat, had been wholly or in part abstracted.

On April 17, 1919, plea of guilty was entered on behalf of the defendant, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**7857. Adulteration and misbranding of flour. U. S. \* \* \* v. 700 Sacks of Flour. Default decree of condemnation, forfeiture, and destruction as to a portion of the product.** (F. & D. No. 785. I. S. Nos. 5703-b, 5704-b. S. No. 284.)

On August 18, 1909, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on October 9, 1919, an amended libel, for the seizure and condemnation of 700 sacks of flour, remaining unsold in the original unbroken packages at Whitewater, Wis., alleging that the article had been shipped by Wells-Abbott-Nieman Co., Schuyler, Nebr., on or about August 2, 1909, and transported from the State of Nebraska into the State of Wisconsin, and charging adulteration and misbranding in violation of the Food and Drugs Act. Five hundred of the sacks were labeled, "Puritan Best Patent Flour," and the remainder were labeled, "Cow Brand Fancy Patent Flour."

It was alleged in the libel and in the amended libel that the article was adulterated in the following manner and particulars, to wit:

(a) In that a substance known as nitrites or nitrite reacting material was mixed and packed with said flour, so as to reduce, lower, and injuriously affect its quality and strength, among others, in these respects, namely: That when milled, said flour—as does other flour made from wheat—possessed such quality or capacity that upon being stored for a period of time, from six weeks to four months long, it would become somewhat whiter in color and otherwise change and improve and become more fit and valuable as an article of food and for bread-making purposes, but that by such bleaching and treatment, the quality or capacity of the said flour to so change and improve—as it would have done if aged and conditioned by natural processes—was impaired and destroyed, and the elasticity of the gluten was lessened, and in other respects it was in-

juriously affected, so that its quality, strength, and value as a food and for bread-making purposes was injured and impaired, and other ingredients of said flour were thereby injuriously affected, so as to reduce, lower, and affect its value and strength as a food, and

(b) In that by the medium and treatment aforesaid, the said flour was mixed, colored, and stained in a manner whereby damage and inferiority were concealed in these respects, among others, namely:

(1) That inferiorities existed in said flour at the time of milling and when the same was bleached and treated by the process aforesaid, which inferiorities resulted from the fact that the flour had then been recently made, and such inferiorities were the same in kind as exist in all fresh or newly made wheat flour, and which manifested themselves in the flour so seized, among other things, in inferiorities of color, elasticity of the gluten thereof, and in the quality of other ingredients affecting its value as food and for bread-making purposes; that the said flour, as is the case with all new flour, at the time of milling and when bleached and treated was not well adapted to or fit for bread-making purposes or use as food, but if the same had not been bleached and treated by means of said process, it would have improved by the lapse of time, storing, and aging, under natural conditions, and would have become relatively well adapted to, and fit for bread-making purposes and use as food; that by the bleaching and treatment of aforesaid, all of the inferiorities of said flour were concealed, and the same was thereby made to simulate the appearance of flour which had been properly aged and conditioned by natural processes; that the natural color of said flour and of all wheat flour indicates, and is the index to, the kind, quality, and value thereof; that by such treatment and process the natural color of the flour so seized was impaired and destroyed, and said flour was thereby given the appearance of flour of better kind, grade, quality, and value than such flour really was or is, and

(2) That 500 sacks of the flour so seized were labeled as aforesaid, "Puritan Best Patent Flour," and that 140 sacks of the flour so seized were labeled as aforesaid, "Cow Brand Fancy Patent Flour," and that the flour contained in said 500 sacks was thereby represented to be a "best patent" flour, and that the flour contained in the said 140 sacks was thereby represented to be a "fancy patent" flour; that the flour so seized and described as aforesaid was and is each and all of a grade, kind, quality, and value inferior, in the case of the said 500 sacks, to a "best patent" flour, and in the case of the said 140 sacks, to a "fancy patent" flour, and that by the bleaching and treatment aforesaid, the said flour contained in said 500 sacks and in said 140 sacks was, respectively, made to simulate and have the appearance, in the one case, of a "best patent" flour, and, in the other case, of a "fancy patent" flour, and by the bleaching and treatment aforesaid inferiorities in other respects were concealed.

It was alleged that the article was misbranded in the following manner and particulars, to wit, that each of 500 sacks so seized was labeled as aforesaid, namely, "Puritan Best Patent Flour," and that each of 140 of the said sacks was labeled "Cow Brand Fancy Patent Flour;" that by said labels and the statements thereon, it was represented that the flour contained in each of said 500 sacks was a "best patent" flour, and that the flour contained in each of said 140 sacks was a "fancy patent" flour; that such statements were false and misleading in this: That the flour contained in said 500 sacks was not a "best patent" flour or "patent" flour at all; that "patent" flour is a flour wholly made from the "middlings," being the white and starchy portions of the flour content of the wheat, but that the flour so seized, contained, respectively, in said 500 sacks and in said 140 sacks, was not wholly made from such "middlings" but contained other portions of the flour content of the wheat



from which it was made; and the same was shipped in interstate commerce, as aforesaid, and offered for sale under the distinctive names of other articles, to wit, in the case of the said 500 sacks, under the name of "Puritan Best Patent Flour," and in the case of the said 140 sacks, under the name of "Cow Brand Fancy Patent Flour," and that the said flour contained in the sacks, described as aforesaid, was in grade and quality inferior to the flour described and intended to be described upon the said labels, and that it was labeled so as to deceive and mislead purchasers and consumers in respect to the kind, grade, quality, and value of said flour.

On October 9, 1919, pursuant to stipulation of libelant and the said Wells-Abbott-Nieman Co., claimant, all of the flour seized by the marshal, except 20 sacks thereof, having been released from the possession and custody of said marshal, and, in pursuance of further stipulation between said parties, the said claimant having consented to withdraw and having withdrawn its appearance and having declined to appear further in said proceeding and having consented to an entry of a decree pro confesso as to the 20 sacks of the flour remaining in the custody of the marshal, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture*.

**7858. Adulteration of smoked sausage. U. S. \* \* \* v. Morris Chassen. Collateral of \$25 forfeited.** (F. & D. No. 9314. I. S. No. 3368-p.)

On August 22, 1919, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police Court of the District aforesaid an information against Morris Chassen, Washington, D. C., alleging that said defendant, on February 16, 1918, at the District aforesaid, unlawfully did offer for sale and sell, in violation of the Food and Drugs Act, a quantity of an article of food, represented by said defendant to be smoked sausage, which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the presence of 6.1 per cent of corn cereal.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, a cereal product, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for smoked sausage, which the article purported to be.

On August 22, 1919, the case having come on for disposition, and the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture*.

**7859. Adulteration of evaporated apples. U. S. \* \* \* v. Charles W. Appleby and George Appleby (Appleby Bros.). Pleas of guilty. Fine, \$20 and costs.** (F. & D. No. 9106. I. S. Nos. 8860-p, 9526-p.)

On November 22, 1918, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Charles W. Appleby and George Appleby, copartners, trading as Appleby Bros., Fayetteville, Ark., alleging shipment by said defendants, or or about December 15, 1917, from the State of Arkansas into the State of Kentucky, and on or about October 29, 1917, from the State of Arkansas into the State of

Tennessee, of quantities of an article labeled in part "Our Best Quality Sliced Evaporated Apples Packed by Appleby Brothers," which was adulterated in each shipment.

Examination of samples of the article by the Bureau of Chemistry of this department showed that the same contained excessive moisture.

Adulteration of the article in each shipment was alleged in substance in the information for the reason that a substance, to wit, water, had been mixed therewith so as to lower or reduce and injuriously affect its quality and strength, and had been substituted in part for evaporated apples, which the article purported to be.

On January 13, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$20 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**7860. Adulteration of gelatin. U. S. \* \* \* v. Wilton H. Gage (W. H. Gage Glue Co.). Plea of guilty to count 1 of information. Fine, \$50 and costs. Count 2 dismissed. (F. & D. No. 9433. I. S. No. 12707-m.)**

On March 5, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information in 2 counts against Wilton H. Gage, trading as W. H. Gage Glue Co., St. Louis, Mo., alleging shipment by said defendant in the first count of said information, in violation of the Food and Drugs Act, on or about May 10, 1917, from the State of Missouri into the State of Kentucky, of a quantity of gelatin which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the presence of excessive amounts of zinc, and that the product, dissolved in water slightly acidified with hydrochloric acid, gave a distinct odor of glue.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, glue, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality, and had been substituted in part for gelatin, which the article purported to be, and for the further reason that the product contained an added poisonous and deleterious ingredient, to wit, zinc, which might render it injurious to health.

On September 26, 1919, the defendant entered a plea of guilty to count 1 of the information, and the court imposed a fine of \$50 and costs. The second count of the information was dismissed.

E. D. BALL, *Acting Secretary of Agriculture.*

**7861. Misbranding of Milks Emulsion. U. S. \* \* \* v. 70 Dozen Bottles of \* \* \* Milks Emulsion. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 11390. I. S. No. 12762-r. S. No. E-1801.)**

On October 4, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 70 dozen bottles of Milks Emulsion, remaining in the original and unbroken packages at Springfield, Mass., alleging that the article had been shipped and transported from the State of Indiana into the Commonwealth of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted largely of petrolatum with small quantities of sugar, glycerin, and alcohol, oil of lemon, and methyl salicylate.

Misbranding of the article was alleged in the libel of information for the reason that the statement in the booklet accompanying the article, "Milks Emulsion contains a great amount of fat," was false and misleading since the article contained no fat. Misbranding of the article was alleged for the further reason that the following statements regarding the curative and therapeutic effects thereof were false and fraudulent, as the article contained no ingredient or combination of ingredients capable of producing the effects claimed:

(Bottle) A valuable remedy for dyspepsia, indigestion, catarrh of the stomach and bowels \* \* \* bronchial asthma, catarrhal croup, bronchitis \* \* \* especially beneficial in incipient consumption; (cartons of large and small bottles) A valuable remedy for dyspepsia, indigestion, catarrh of the stomach and bowels, \* \* \* coughs due to sore throat, bronchitis or pneumonia. Incipient consumption, bronchial asthma, catarrhal croup, \* \* \* strengthens the digestive organs, \* \* \* enriching the blood and increasing the flesh. It gives relief in curable Throat, Lung, Stomach and Bowel Troubles, cleans and heals the afflicted parts and enables the machinery of the body to do its work properly, thus restoring strength and flesh and contributing to perfect health. Is very beneficial in incipient consumption, \* \* \* coughs due to sore throat, bronchitis or pneumonia. Bronchial asthma, dyspepsia, indigestion, catarrh of the stomach and bowels, \* \* \* Especially beneficial in the ills of children. It builds up their system, enriches their blood, improves the appetite, strengthens the throat, lungs and stomach, which are only too often the cause of croupy, weak and puny children. Relieves catarrhal croup, and several doses given during the day will prevent it. Thousands of mothers endorse Milks Emulsion because it strengthens their children as nothing else has ever done, thus rendering them less liable to many of the contagious diseases so common among children; (booklet accompanying both sizes) Consumption (In Its Early Stages) Can Be Cured. The use of Milks Emulsion, which is 95 per cent petroleum, \* \* \* in the treatment of tuberculosis of the lungs, \* \* \* Milks Emulsion contains a great amount of fat, \* \* \* It is absolutely necessary to clean the lungs of all poisonous pus before Nature can start to heal them. Milks Emulsion will start the accumulation of pus from the cavities that have formed in the lungs by the eating away of the tissues of the walls of the air cells by the tubercular germs, in ten to twenty-four hours. A 50¢ bottle will prove our statement. It will cause the consumptive to expectorate very freely, and loosen the cough as well. Consumption cannot be cured until these cavities have been cleaned out and kept clean, the sewage of the body cleaned out and kept clean, the stomach and bowels put in a good healthy condition, thus enabling the patient to digest and assimilate his food, thereby building up the blood and tissue, which is necessary for the patient's strength in order that he may combat the weakening effect of tuberculosis. After this has been accomplished, Nature will cause the lungs to heal and build up rapidly. \* \* \* "I was suffering from that awful disease, tuberculosis of the bones, affecting both legs and arms. At one time I had seventy-two (72) risings and boils on my body, legs and arms, making almost an entire mass of sores. One of the places was as large as a quart bucket. I was in this condition for five months and eleven days. \* \* \* From my normal weight of 110 pounds I went down to 72 pounds during the five months' bed-sickness. \* \* \* Within ten days after beginning with your Emulsion, I was out of bed, greatly improved and the boils began to disappear and to get better, one by one, and within four months, I was completely well of them. I have taken 62 bottles of the Emulsion and know that your medicine has saved my life. \* \* \*." "I was pronounced a victim of tuberculosis. I took tuberculosis treatments and finally resorted to two operations. I was then told there was no cure for me. In Feb., 1913, I started on Milks Emulsion, took thirteen bottles, gained seven pounds in three weeks. I am now absolutely well, weigh 162 pounds and feel that I am a living proof that Milks Emulsion will cure tuberculosis if taken in time, \* \* \*." " \* \* \* the best remedy in the world for lung trouble and catarrh of the stomach and bowels. \* \* \*." " \* \* \* I can say that if it had not been for Milks Emulsion, I would have been dead now. \* \* \* My



neighbors told me of your medicine curing two other people of tuberculosis, same as I had. So I quit the doctors and went to using Milks Emulsion. When I had used two bottles I began to eat better. I kept on using it and now I feel like a new woman. I have gained 20½ pounds in using eight bottles. \* \* \*

\* \* \* I highly recommend Milks Emulsion to anyone having lung trouble. \* \* \*

\* \* \* " \* \* \* I have had lung trouble for four years and have never gotten hold of anything that did me any good until Mr. George Caps, my druggist, persuaded me to try Milks Emulsion. The first bottle gave me great relief and by the time I had taken five bottles I was greatly improved. The doctors had said my case was incurable but they didn't know what a life saver Milks Emulsion was going to be in my case. I have taken about twenty bottles of your Emulsion and am glad to say I am in as good health as I ever was in my life. \* \* \*

"It becomes my privilege and pleasure to advise you that the writer has been for more than twelve years a semi-invalid by virtue of having contracted tuberculosis in his hip joint. \* \* \*

The writer can truthfully say that your Emulsion has been a Godsend to him, and he most heartily recommends its extensive use to anyone in the grasp of the Great White Plague in any of its various forms. \* \* \*

" \* \* \* I had consumption \* \* \*

Finally a friend advised me to take Milks Emulsion, saying he had been cured. I managed to get to the Milks Emulsion office where my case was considered hopeless. They regretted that I had not come earlier, but started me using Milks Emulsion and by the time I had used two bottles I noticed a decided improvement. \* \* \*

I have now taken 23 bottles and am happier than words can tell to think I have again regained my health and have a new lease on life. \* \* \*

Milks Emulsion is a positive cure for consumption. \* \* \*

I urge every one with weak lungs or consumption to use Milks Emulsion, the world's only cure for consumption. \* \* \*

"I want to let every one know how Milks Emulsion saved my life. \* \* \*

My folks called in one of the best physicians in Terre Haute, who examined my lungs and said my right lung was in very bad shape. He told my mother that he could not save me as my lungs were too far gone. \* \* \*

I commenced to take Milks Emulsion \* \* \*

My health is now fine and I feel so happy, I am sure nothing in this world but Milks Emulsion would ever have saved my life, and I shall always feel that I owe my life to you. \* \* \*

I hope every consumptive who reads this letter will commence on Milks Emulsion without a minute's loss of time. \* \* \*

" \* \* \* our little five-year-old daughter, Luella, had the measles and they settled in her bronchial tubes, and she had such a cough we could not sleep at night. My wife is confident she had consumption \* \* \*

I had seen your Milks Emulsion advertised and concluded to try it and we have done so with the very best results. I am glad to say that she is cured and we cannot say too much in favor of your wonderful remedy for it saved our child's life. \* \* \*

" \* \* \* I have had lung trouble for nine years and after trying nearly every doctor in Evansville and taking everything I heard of, I started on your Milks Emulsion, and while it may seem strange I will just say I have taken six bottles and it has cured me sound as a dollar. \* \* \*

" \* \* \* I had tuberculosis of the lungs \* \* \*

purchased a bottle of Milks Emulsion, which helped me so much that I have since taken ten bottles. When I started to take your remedy I was in bed and weighed only 119 pounds. Now I weigh 140 pounds and believe I am completely cured. \* \* \*

" \* \* \* cured me entirely of a very bad case of lung trouble and asthma. \* \* \*

" \* \* \*

Consumption runs in our family. \* \* \*

I knew I would have it and worried all the time. In 1909 I had a hemorrhage of the lungs and would have one every winter. Last year I had one in the spring, and in the summer two more. They gradually grew more frequent, until I had two within three days. For nine months I had a terrible cough, which was growing worse all the time, until I couldn't sleep at night. \* \* \*

With the first bottle of Milks Emulsion I got back a splendid appetite. After taking two bottles my cough almost left me. \* \* \*

Now I do my washing and ironing and all my housework and enjoy it. I feel twenty years younger, and O God, I am so happy and feel now like God has given me my health through Milks Emulsion. I am always anxious to tell everybody about it and wish for the sake of poor tubercular sufferers that your medicine could be put in all tubercular hospitals, where I am sure all could be cured. \* \* \*

" \* \* \*

For about one year I doctored continually with several good doctors, spending hundreds of dollars in what seemed a vain attempt to save my life from consumption. \* \* \*

You held out hope for me and started me on Milks Emulsion. The second bottle served to do me a great deal of good. \* \* \*

In less than three months' time I was

completely restored to health \* \* \* I advise every one that I see suffering from either lung or stomach trouble to use it, as I know it will cure them. Only those who have given up as incurable with consumption can appreciate how I feel after being fully restored to health. \* \* \* " \* \* \* I had consumption, \* \* \* Finally, a lady friend of my wife's gave me a bottle of Milks Emulsion, which I used and it seemed to do me so much good that I continued taking Milks Emulsion for four months, when it finally cured me sound as a dollar. \* \* \*." **Bronchial Asthma Can Be Cured** \* \* \* Milks Emulsion and deep breathing exercises will, in our opinion, do more for asthma than all other asthma cures combined. " \* \* \* My son, Roscoe, has had asthma since he was three years old. Whooping cough left him with this trouble. He is now 13 years old and is very grateful to you for his speedy recovery. \* \* \*." **Asthma Cured.** "Do you know I have not had a symptom of asthma since I took a few bottles of Milks Emulsion. I had suffered with asthma for over 20 years and had taken a number of other medicines which only relieved me for a short time. I can and do recommend Milks Emulsion as a sure cure. \* \* \*." " \* \* \* There is no need of going west for asthma. Eat plenty of Milks Emulsion and I, myself, will guarantee a cure, as I have done for myself. \* \* \*." "I have taken ten bottles of your Milks Emulsion for asthma. I find that it has cured me completely. \* \* \*." **Stomach Trouble In Its Various Forms** \* \* \* Stomach trouble, as understood by the laity covers acute and chronic dyspepsia, indigestion, gastritis, chronic gastric catarrh, chronic nervous dyspepsia, ulcer of the stomach, cancer of the stomach, syphilis of the stomach, and tumors of the stomach. We mention cancer, syphilis and tumors of the stomach under the head of stomach trouble simply to show you the possibilities under this term, which can only be determined by a thorough examination made by a competent physician, under whose care you should place yourself should it be found that your trouble arises from either of these causes. \* \* \* gastritis \* \* \* Thousands of people have reported to us that they found relief in the use of Milks Emulsion for various forms of stomach trouble, almost from the first dose, notwithstanding the fact that they had been afflicted for years and that everything they ate distressed them. \* \* \* Milks Emulsion will build up the system, improve the appetite, enrich the blood and strengthen the organs of the throat and lungs, which are only too often the cause of croupy, sick and puny children. Mothers endorse Milks Emulsion because it strengthens and builds up their children as nothing else has ever done, rendering them less liable to contract many of the contagious diseases so rife among children. \* \* \* Remember you take no chances. Milks Emulsion is an absolute preventive for spasmodic croup.

On January 7, 1920, the Milks Emulsion Co., Terre Haute, Ind., claimant, having filed a satisfactory bond, in conformity with section 10 of the act, judgment of condemnation was entered, and it was ordered by the court that the product be delivered to said claimant upon payment of the costs of the proceedings.

E. D. BALL, *Acting Secretary of Agriculture.*

**7862. Misbranding of spaghetti.** U. S. \* \* \* v. Mercurio Bros. Spaghetti Mfg. Co., a Corporation. Plea of guilty to count 1 of information. Fine, \$25 and costs. Remaining counts of information dismissed. (F. & D. No. 9498. I. S. No. 10011-p.)

On May 3, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information in 8 counts against the Mercurio Bros. Spaghetti Mfg. Co., a corporation, St. Louis, Mo., alleging shipment by said company, in the first count of the information, in violation of the Food and Drugs Act, on or about March 23, 1918, from the State of Missouri into the State of Illinois, of a quantity of an article, labeled in part "Sugo Brand Spaghetti 10 Ounces Net" or "10 Oz. Net," as the case might be, which was misbranded.

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "10 Ounces Net" and "10 Oz. Net," borne on the

cartons containing the article and regarding it, were false and misleading in that they represented that said cartons each contained 10 ounces net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that said cartons each contained 10 ounces net of the article, whereas, in truth and in fact, each of said cartons did not contain 10 ounces net of the article, but did contain a less amount.

On November 13, 1919, a plea of guilty was entered on behalf of said defendant corporation to the first count of the information, and the court imposed a fine of \$25 and costs. The remaining counts of the information were dismissed.

E. D. BALL, *Acting Secretary of Agriculture.*

**7863. Adulteration of tomato purée. U. S. \* \* \* v. Morris Canning Co., a Corporation. Plea of guilty. Fine, \$25. (F. & D. No. 8923. I. S. Nos. 1033-p, 1034-p.)**

On July 30, 1918, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Morris Canning Co., a corporation, Lambertville, N. J., alleging shipment by said company, in violation of the Food and Drugs Act, on or about September 14, 1917, and October 11, 1917, from the State of New Jersey into the State of New York, of quantities of tomato purée which was adulterated. The article was labeled in part, "Morris' Best Tomato Puree" or "Morris' Tomato Puree."

Examination of samples of the article by the Bureau of Chemistry of this department showed that the product was manufactured from partially decayed tomatoes.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, putrid, and decomposed vegetable substance.

On May 19, 1919, a plea of guilty to the information was entered on behalf of the defendant corporation, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

**7864. Adulteration and misbranding of cocoa powder. U. S. \* \* \* v. Leon Henry. Plea of guilty. Fine, \$25. (F. & D. No. 9727. I. S. No. 3935-p.)**

On April 29, 1919, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Leon Henry, Hoboken, N. J., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about April 15, 1918, from the State of New Jersey into the State of New York, of a quantity of an unlabeled article which was invoiced as cocoa powder and which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product contained an excessive amount of cocoa shells.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cocoa shells, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted for cocoa powder, which the article purported to be; for the further reason that it was an article inferior to powdered cocoa, to wit, a product composed in part of cocoa shells, prepared in imitation of powdered



cocoa, and said cocoa shells had been mixed with the article in a manner whereby its inferiority to said powdered cocoa was concealed.

Misbranding was alleged for the reason that the article was a mixture composed in part of cocoa shells prepared in imitation of powdered cocoa, and was offered for sale and sold under the distinctive name of another article, to wit, powdered cocoa.

On May 10, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

**7865. Adulteration of frozen eggs. U. S. \* \* \* v. 450 Cases \* \* \* of Frozen Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9764. I. S. No. 5625-r. S. No. C-1075.)**

On February 20, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 450 cases, more or less, each containing 2 40-pound cans of frozen eggs, at Chicago, Ill., alleging that the article had been shipped by the Jerpe Commission Co., Omaha, Nebr., on December 11, 1918, and transported from the State of Nebraska into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed animal substance, for the further reason that it consisted in part of a filthy animal substance, and for the further reason that it consisted in part of a putrid animal substance.

On March 30, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7866. Adulteration and misbranding of olive oil. U. S. \* \* \* v. 25 \* \* \* and 17 \* \* \* Cans of Olive Oil, So Called. Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 10795. I. S. Nos. 14206-r, 14207-r. S. No. E-1592.)**

On June 30, 1919, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 25 gallon cans and 17  $\frac{1}{2}$ -gallon cans of so-called olive oil, remaining unsold in the original unbroken packages at New London, Conn., alleging that the article had been shipped on or about May 7, 1919, by the Economou-Ritsos Co., Inc., New York, N. Y., and transported from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Olio Sopraffino \* \* \* Victory Brand \* \* \* Packed by Economou-Ritsos Co., Inc., New York."

Adulteration of the article was alleged in the libel for the reason that there had been mixed and packed therewith another oil, to wit, cottonseed oil, so as to reduce and lower and injuriously affect its quality and strength, and for the further reason that cottonseed oil had been substituted almost wholly for the product purporting to be olive oil.

Misbranding of the article was alleged in substance in the libel for the reason that the labels of the cans bore certain statements, designs, and devices,

regarding the article, which were false and misleading, that is to say, the following words, "Olio Sopraffino \* \* \* raccomandata specialmente per insalata \* \* \* e garentito migliore di tutti," and also bore the design of the Italian flag and sprays of olive branches, the above statement not being corrected by the statement in inconspicuous type, "Cottonseed salad oil flavored with pure olive oil, a compound," which statements, designs, and devices were intended to be of such a character as to induce the purchaser to believe that the product was olive oil, when, in truth and in fact, it was not; for the further reason that said product purported to be a foreign product, when, in truth and in fact, it was a product of domestic manufacture packed in the United States; for the further reason that the labels of the article bore the words, "One Gallon" and "One-Half Gallon," respectively, whereas there was an appreciable shortage in volume in each can; for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count; and for the further reason that said article was an imitation of, and was offered for sale under the distinctive name of another article, to wit, olive oil.

On October 20, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7867. Adulteration of evaporated apples. U. S. \* \* \* v. 25 Boxes of Evaporated Apples. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 9091. I. S. No. 16561-p. S. No. W-228.)

On June 26, 1918, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 25 boxes of evaporated apples, remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about April 3, 1918, and transported from the State of New York into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act. The boxes were labeled, in part, "25 lbs. Net Fancy Whole Evaporated Apples Packed by Hartman & Co., Rochester, N. Y., Sulphured, The Morey Mercantile Company, Denver, Colo."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of decomposed vegetable substance and was moldy, the surface being practically covered by green-gray mold and the product having an offensive odor.

On August 26, 1918, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7868. Adulteration and misbranding of vinegar. U. S. \* \* \* v. Ozark Cider & Vinegar Co., a Corporation (O. L. Gregory Co.). Plea of guilty. Fine, \$75 and costs.** (F. & D. No. 9234. I. S. Nos. 8116-p, 8952-p.)

On November 22, 1918, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Ozark Cider & Vinegar Co., a corporation, Siloam Springs, Ark., alleging

shipment by said company, under the name of O. L. Gregory Co., in violation of the Food and Drugs Act, as amended, on or about February 18, 1918, and July 18, 1917, from the State of Arkansas into the State of Oklahoma, of quantities of vinegar which was adulterated and misbranded. The vinegar shipped in February was labeled, "Ozark Cider & Vinegar Co. Sugar Vinegar. Siloam Springs, Ark." The vinegar shipped in July was labeled, in part, "Mountain Brand Apple Cider Vinegar contents approx. one pint nine ounces Manufactured by The Ozark Cider & Vinegar Co., Siloam Springs, Ark."

Analysis of a sample of the so-called sugar vinegar by the Bureau of Chemistry of this department showed that it consisted largely of distilled vinegar or dilute acetic acid. Analysis of a sample of the Mountain Brand apple cider vinegar, so called, showed that it was either distilled vinegar or dilute acetic acid artificially colored.

Adulteration of both vinegars was alleged in the information for the reason that a substance, to wit, either distilled vinegar or dilute acetic acid, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and had been substituted in part for sugar vinegar or apple cider vinegar, as the case might be, which the article purported to be. Adulteration of the so-called apple cider vinegar was alleged for the further reason that it was an article inferior to apple cider vinegar, to wit, an article composed in part of either distilled vinegar or dilute acetic acid, and was artificially colored so as to simulate the appearance of apple cider vinegar and in a manner whereby its inferiority to apple cider vinegar was concealed.

Misbranding of both vinegars was alleged for the reason that the statement, to wit, "Sugar Vinegar" or "Apple Cider Vinegar," borne on the labels attached to the barrels or bottles containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that said article was sugar vinegar or apple cider vinegar, as the case might be, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was sugar vinegar or apple cider vinegar, whereas, in truth and in fact, it was not, but was a product composed in part of either distilled vinegar or dilute acetic acid, and either distilled vinegar or dilute acetic acid artificially colored, as the case might be. Misbranding of the so-called Mountain Brand apple cider vinegar was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On December 23, 1918, a plea of guilty to the information was entered on behalf of the defendant corporation, and the court imposed a fine of \$75 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7869. Adulteration and misbranding of alleged olive oil. U. S. \* \* \* v. 7 Cases \* \* \* Alleged Olive Oil. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9828. I. S. No. 12367-r. S. No. C-1058.)

On March 3, 1919, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 7 cases, each containing 12 1-gallon cans of alleged olive oil, at Cleveland, Ohio, alleging that the article had been shipped on or about August 12, 1918, by D. Sclafani and L. Marinello, New York, N. Y., and transported from the State of New York into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was



labeled, "Finest Quality Table Oil (picture of olive tree and natives gathering and packing olives) \* \* \* Termini Imerese," and, in very inconspicuous type, "Cottonseed oil slightly flavored with olive oil Ocilia-Atalia 1 gallon Net."

Adulteration of the article was alleged in the libel for the reason that cottonseed oil had been mixed and packed with, and substituted wholly or in part for, the article labeled as above.

Misbranding of the article was alleged for the reason that the above-quoted statements, designs, and devices, not corrected by the statement in inconspicuous type, "Cottonseed oil slightly flavored with olive oil," were false and misleading and deceived and misled the purchaser; for the further reason that said article purported to be a foreign product, when not so; for the further reason that said article was an imitation of, and was offered for sale under the distinctive name of, another article, and in being labeled "1 Gallon Net," whereas examination showed an average shortage in volume of 3.6 per cent; and for the further reason that said article was food in package form, and the quantity of contents was not declared.

On March 14, 1919, Sebastiano Galamo, claimant for the product and consignee to whom it was shipped, having filed his answer to the libel confessing the allegations therein, judgment of condemnation and forfeiture was entered, and it was ordered that the product be delivered to said claimant upon payment of all costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7870. Adulteration and misbranding of blackberry, dark grape, and cherry cider. U. S. \* \* \* v. 70 Kegs and 10 Barrels of Blackberry Cider, 70 Kegs and 10 Barrels of Dark Grape Cider, and 12 Kegs and 5 Barrels of Cherry Cider. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11852. I. S. Nos. 3479-r, 3480-r, 3481-r. S. No. W-560.)**

On December 27, 1919, the United States attorney for the District of New Mexico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 70 kegs and 10 barrels of blackberry cider, 70 kegs and 10 barrels of dark grape cider, and 12 kegs and 5 barrels of cherry cider, remaining unsold in the original unbroken packages at Las Vegas, N. Mex., alleging that the article had been shipped on or about August 30, 1919, by the National Fruit Products Co., Memphis, Tenn., and transported from the State of Tennessee into the State of New Mexico, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that a sweetened, partially fermented apple cider containing benzoic acid or a compound thereof had been substituted wholly or in part for blackberry cider, dark grape cider, and cherry cider, respectively, and that the contents of said kegs and barrels were artificially colored in a manner whereby their artificiality was concealed.

Misbranding of the article was alleged for the reason that the contents of said kegs and barrels were imitations of and sold under the distinctive names of other articles, to wit, blackberry cider, dark grape cider, and cherry cider, respectively.

On March 27, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7871. Adulteration and misbranding of birch oil. U. S. \* \* \* v. 1 Can \* \* \* of a Product Purporting to be Birch Oil. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 12121. I. S. No. 8-r. S. No. E-1936.)**

On January 28, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 can, containing 12½ pounds of a product purporting to be birch oil, remaining unsold in the original unbroken package at New York, N. Y., alleging that the article had been shipped on or about January 19, 1920, by Z. B. Buchanan, Hickory, N. C., and transported from the State of North Carolina into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it contained synthetic methyl salicylate.

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the Pharmacopœial standard of strength, quality, and purity, and in that its own standard of strength, quality, and purity was not plainly stated upon its container, and in that its strength and purity fell below the professed standard or quality under which it was sold. Adulteration of the article was alleged for the further reason that a substance, to wit, synthetic methyl salicylate, had been mixed and packed with, and substituted in part for, the article.

Misbranding of the article was alleged, both in the case of drugs and in the case of food, for the reason that the article was an imitation of, and was offered for sale under the name of, another article, to wit, birch oil.

On April 17, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold as imitation birch oil by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7872. Adulteration of canned tomatoes. U. S. \* \* \* v. 331 Cases of Alleged Canned Tomatoes. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12139. I. S. No. 17450-r. S. No. E-1965.)**

On February 9, 1920, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 331 cases of alleged canned tomatoes, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped on or about July 9, 1919, and transported from the State of New York into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Thomas' Best Brand Packed by W. J. Thomas & Co. The Thomas Farm, Evans, W. Va."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On March 18, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7873. Adulteration and misbranding of canned tuna fish. U. S. \* \* \* v. 125 Cases of a Product Purporting to be Canned Tuna Fish. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 12148, 12149. I. S. No. 14158-r. S. No. E-1974.)**

On February 16, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 125 cases of a product purporting to be canned tuna fish, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about September 23, 1919, by the White Star Canning Co., East San Pedro, Calif., and transported from the State of California into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Radio Brand Blue Fin Tuna \* \* \* White Meat Tuna \* \* \* Selected White Meat of California Tuna."

Adulteration of the article was alleged in the libel for the reason that striped tuna (*Gymnosarda pelamis*) had been mixed and packed with, and substituted in part for, California tuna fish.

Misbranding of the article was alleged for the reason that the following statements, to wit, "Blue Fin White Meat Tuna \* \* \*," "Selected White Meat of California Tuna \* \* \*," and "Blue Fin Tuna," were false and misleading and deceived and misled the purchaser. Misbranding of the article was alleged for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article.

On February 26, 1920, the White Star Canning Co., claimant, having filed a stipulation admitting the truth of the allegations of the libel and consenting to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with Section 10 of the act, conditioned in part that the product be relabeled under the supervision of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

**7874. Misbranding of Hien Fong Essence. U. S. \* \* \* v. 231 Bottles of Hien Fong Essence. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 12198. I. S. No. 9251-r. S. No. C-1772.)**

On February 24, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 231 bottles of Hien Fong Essence, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about January 26, 1920, by the Knorr Medical Co., Detroit, Mich., and transported from the State of Michigan into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Wrapper) "Cholera Morbus, Indigestion and Sore Throat and as a prophylactic in suspected cases of Croup and Diphtheria;" (bottle) "Cholera Morbus, Indigestion, Summer Complaint, Neuralgia, Catarrh, Grippe, \* \* \* Tonsillitis, Sore Throat. In case of Diphtheria and Croup, these drops may be used to advantage as a gargle in connection with the regular prescribed treatment;" (circular) "Asthma, Grippe, In In-



flamation and weakness of the eyes, Dullness of Ears, Catarrh and Hayfever, In Suspected Diphtheria and Croup the Essence will be valuable as a prophylactic treatment \* \* \* Catarrh, Cholera Morbus and Summer Complaint."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted of a solution in 50 per cent alcohol of small amounts of oils of spearmint, lavender, and probably anise, camphor, and valerian.

Misbranding of the article was alleged in the libel for the reason that the preceding statements, regarding the curative and therapeutic effects of the article, were false and fraudulent.

On May 20, 1920, Oscar Gotsch, claimant, having entered appearance and filed a claim for the property seized and having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$150, in conformity with section 10 of the act, conditioned in part that the product be reshipped to the laboratory of the Knorr Medical Co. to be relabeled under supervision of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

**7875. Misbranding of Hien Fong Essence. U. S. \* \* \* v. 39 Bottles 30-cent Size, 68 Bottles 60-cent Size, and 6 Bottles \$1.15 Size of Hien Fong Essence. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12209. I. S. No. 8114-r. S. No. C-1786.)**

On February 26, 1920, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 39 bottles of the 30-cent size, 68 bottles of the 60-cent size, and 6 bottles of the \$1.15 size, of Hien Fong Essence, remaining unsold in the original unbroken packages at Omaha, Nebr., alleging that the article had been shipped on or about September 27, 1919, and January 7, 1920, by the Knorr Medical Co., Detroit, Mich., and transported from the State of Michigan into the State of Nebraska, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: (Bottles) "Cholera Morbus, Indigestion, Summer Complaint, Neuralgia, Catarrh, Grippe \* \* \* Tonsillitis, Sore Throat. In case of Diphtheria \* \* \* these drops may be used to advantage as a gargle in connection with the regular prescribed treatment;" (wrappers) "Cholera Morbus, Indigestion and Sore Throat and as a prophylactic in suspected cases of Croup and Diphtheria."

Analysis of a sample of the product made by the Bureau of Chemistry of this department showed that it consisted essentially of alcohol and water, containing small amounts of essential oil, including peppermint, spearmint, and lavender, ether, and plant extractives.

Misbranding of the article was alleged in the libel for the reason that the foregoing statements on said label were false, fraudulent, and misleading in that the product contained no ingredient or combination of ingredients capable of producing the effect claimed.

On April 21, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7876. Adulteration of Lima beans. U. S. \* \* \* v. 35 Bags of Madagascar Lima Beans. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 12211. I. S. No. 9021-r. S. No. C-1791.)**

On February 25, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 35 bags of Madagascar Lima beans, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about December 31, 1919, by Davies, Turner & Co., New York, N. Y., and transported from the State of New York into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that the product consisted in whole or in part of a filthy and decomposed vegetable substance.

On April 8, 1920, the Krekeler Grocer Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a satisfactory bond, in accordance with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7877. Adulteration and misbranding of evaporated apples. U. S. \* \* \* v. 15 Boxes and 50 Boxes and 8 Boxes of Evaporated Apples. Consent decrees of condemnation and forfeiture entered. Products released under bond. (F. & D. Nos. 12199, 12225, 12226. I. S. Nos. 7758-r, 8883-r, 8884-r. S. Nos. C-1803, C-1804, C-1776.)**

On February 24, and March 3, 1920, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 15 boxes, 50 boxes, and 8 boxes of evaporated apples, remaining unsold in the original unbroken packages at Fergus Falls, Minn., and Faribault, Minn., and Owatonna, Minn., consigned on or about January 24, 1920, January 16, 1920, and January 17, 1920, by J. W. Teasdale & Co., St. Louis, Mo., and transported from the State of Missouri into the State of Minnesota, and charging adulteration and misbranding under the Food and Drugs Act.

Adulteration of the article was alleged in the libels for the reason that excessive water had been mixed and packed with, and substituted wholly or in part for the article.

Misbranding of the article was alleged in substance for the reason that the following statement, to wit, "Evaporated Apples," borne on the various boxes comprising the shipment, was false and misleading and deceived and misled the purchaser in that the product was an imitation of, and was sold under the distinctive name of, another article.

On March 5, 1920, and March 16, 1920, J. W. Teasdale & Co., claimant, having consented to decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the several consignments of the product be released to said claimant upon the payment of the costs of the proceedings and the execution of bonds in the sums of \$150, \$500, and \$80, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7878. Misbranding of D. D. D. Remedy for Eczema \* \* \* Extra Strong. U. S. \* \* \* v. 28 Bottles of D. D. D. Remedy for Eczema \* \* \* Extra Strong. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 12254. I. S. No. 55-r. \* S. No. E-1994.)

On February 26, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 28 bottles of D. D. D. Remedy for Eczema \* \* \* Extra Strong, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about October 17, 1919, by the Williams Mfg. Co., Cleveland, Ohio, and transported from the State of Ohio into the State of New York, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "D. D. D. Remedy for Eczema and Diseases of the skin \* \* \* prepared specially for cases of Chronic Dry Eczema and Psoriasis confined to the trunk of the body, arms and legs, which do not respond to treatment with D. D. D. Ordinary \* \* \*;" (bottle) "D. D. D. Prescription for the Skin \* \* \* prepared specially for Chronic Dry Eczema and Psoriasis when confined to the trunk of the body, arms and legs;" (32-page booklet, headed "Cause and Cure of Skin Diseases") "\* \* \* Read these letters from the chronic sufferers \* \* \* hardly one who had to invest more than four, five or six dollars for a complete and permanent cure. Read also about others cured by the very first dollar bottle. \* \* \* In the majority of cases the first or second bottle will relieve the itch and check the disease, and perhaps accomplish a complete cure and in practically all cases, the fourth or fifth, at the very most the sixth bottle, will plainly indicate to the patient that he is on the road to recovery. As far as reports are received from patients, we have few cases in which more than four or five bottles are required for a cure. \* \* \* Diseases Cured by D. D. D. Eczema Acne and Pimples Dermatitis \* \* \* Herpes Hives \* \* \* Poisonous Rashes Itching Piles Psoriasis Dandruff and Affections of the Scalp Barbers Itch and Sycosis Salt Rheum and Tetter Scabies Lichen Red Nose \* \* \* Itch of all kinds Directions for Each Disease If You Seek a Positive Cure, Read This Carefully and Follow Instructions \* \* \* Eczema \* \* \* In Weeping Eczema \* \* \* Dry Eczema \* \* \* Infantile Eczema and Baby Rash \* \* \* Psoriasis \* \* \* D. D. D. has shown remarkable results in psoriasis cases \* \* \* Salt Rheum and Tetter \* \* \* Barber's Itch \* \* \* Sycosis \* \* \* Itching Piles (Eczema Ani) \* \* \* Dandruff or Any Disease of Scalp \* \* \* Acne \* \* \* In Hives, Nettle Rash, Poison Oak and Poison Ivy \* \* \*."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of a solution of phenol, oil of sassafras, methyl salicylate, salicylic acid, chloral hydrate, water, and 22.34 per cent by volume of alcohol.

Misbranding of the article was alleged in the libel for the reason that the following statement, "Contains Alcohol, 38%," borne on the labels attached to the article, regarding it and the ingredients and substances contained therein, was false and misleading in that said product, in truth and in fact, contained a much less amount of alcohol. Misbranding of the article was alleged for the further reason that the statements hereinbefore set forth, regarding its curative and therapeutic effect, were false and fraudulent as the article contained no ingredient or combination of ingredients capable of producing the effects claimed for it.



On March 17, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7879. Adulteration of dried Lima beans. U. S. \* \* \* v. 2,964 Bags of Dried Lima Beans. Consent decree of condemnation and forfeiture. Goods ordered released under bond. (F. & D. No. 12259. I. S. Nos. 9022-r, 9023-r, 9024-r, 9025-r, 9026-r. S. No. C-1793.)**

On March 2, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2,964 bags of dried Lima beans, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by Adolph Goldmark & Sons, Inc., New York, N. Y., in 4 shipments, to wit, 500 sacks January 21, 1920, 1,000 sacks January 9, 1920, 1,000 sacks January 20, 1920, and 464 sacks January 23, 1920, and transported from the State of New York into the State of Missouri, and charging adulteration under the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that the product consisted in whole or in part of a filthy and decomposed vegetable substance.

On March 19, 1920, Adolph Goldmark & Sons, Inc., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that such portion of said product as was unfit for food be destroyed, and that such portion as was not adulterated and not unfit for food be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$5,000, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7880. Misbranding of D. D. D. Remedy for Eczema. U. S. \* \* \* v. 142 Bottles of D. D. D. Remedy for Eczema \* \* \* Ordinary Strength and 30 Bottles of D. D. D. Remedy for Eczema \* \* \* Extra Strong. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12260. I. S. Nos. 18344-r, 18348-r. S. No. E-2004.)**

On or about March 3, 1920, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 142 bottles of D. D. D. Remedy for Eczema \* \* \* Ordinary Strength, and 30 bottles of D. D. D. Remedy for Eczema \* \* \* Extra Strong, remaining unsold in the original unbroken packages at Portland, Me., alleging that the article had been shipped on or about August 27, 1919, by the D. D. D. Co., Chicago, Ill., and transported from the State of Illinois into the State of Maine, and charging misbranding under the Food and Drugs Act. The article was labeled in part, "D. D. D. Remedy for Eczema \* \* \* Ordinary Strength" and "D. D. D. Remedy for Eczema \* \* \* Extra Strong."

Analyses of samples of the product by the Bureau of Chemistry of this department showed that it consisted essentially of a solution of phenol, oil of sassafras, methyl salicylate, salicylic acid, and chloral hydrate in alcohol and water.

Misbranding of the article was alleged in the libel for the reason that the packages contained certain statements regarding the curative and therapeutic

effects of said article as follows: "D. D. D. Prescription for the Skin and Scalp \* \* \* Pimples on Face, Red Nose, Barber's itch D. D. D. Remedy for Eczema and Diseases of the skin and scalp \* \* \* Pimples on face, Red Nose, Barber's itch \* \* \* Eczema Psoriasis Pimples Tetter \* \* \* Salt Rheum \* \* \* Dandruff Ivy Poison Hives Itching Piles \* \* \* Itch Barber's Itch, Dermatitis Herpes Sycosis Ordinary Strength To subdue eczema and skin diseases \* \* \* Use D. D. D. The lotion for skin disease. \* \* \* In nearly all instances D. D. D. gives relief at once \* \* \* It is indeed true that the first or second full size bottle will relieve the itch and will be found to be sufficient in the majority of cases of skin disease. In practically all cases the fourth or fifth or at the very most the sixth bottle will plainly indicate to the patient that he is on the road to recovery \* \* \* Continue the use of D. D. D. prescription until the desired results are obtained \* \* \* D. D. D. is a treatment. \* \* \* The most common forms of skin diseases successfully treated by D. D. D. Eczema (salt rheum, tetter) \* \* \* D. D. D. Remedy for Eczema and Diseases of the skin \* \* \* for cases of Chronic Dry Eczema and Psoriasis confined to the trunk of the body, arms, and legs, which do not respond to treatment with D. D. D. Ordinary," which said statements were false and fraudulent in that said article contained no ingredient or ingredients capable of producing the therapeutic or curative effects claimed for it by the said statements.

On March 23, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7881. Adulteration of oysters. U. S. \* \* \* v. J. & J. W. Elsworth Co., a Corporation. Plea of guilty. Fine, \$25. (F. & D. No. 12296. I. S. Nos. 13380-r, 13745-r.)**

On or about April 17, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the J. & J. W. Elsworth Co., a corporation, New York, N. Y., alleging shipment by said defendant company, on or about January 15 and January 28, 1919, in violation of the Food and Drugs Act, from the State of New York into the State of Pennsylvania, of quantities of oysters which were adulterated.

Analyses of samples of the product by the Bureau of Chemistry of this department showed that it had been soaked with water.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed with the article so as to lower, reduce, and injuriously affect its quality and strength.

On April 21, 1920, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

**7882. Adulteration and misbranding of olive oil. U. S. \* \* \* v. George P. Papadopoulos. Plea of guilty. Fine, \$100. (F. & D. No. 12308. I. S. No. 11912-r.)**

On April 21, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against George P. Papadopoulos, New York, N. Y., alleging shipment by said defendant,

on or about April 8, 1919, in violation of the Food and Drugs Act, as amended, from the State of New York into the State of Ohio, of a quantity of olive oil which was adulterated and misbranded. The article was labeled as follows, "Finest Quality Table Oil Insuperabile (design) Termini Imerese Type Net Contents One Gallon Cottonseed oil slightly flavored with olive oil."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted chiefly of cottonseed oil, and that the cans were short volume.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed with the article so as to lower, reduce, and injuriously affect its quality and strength, and had been substituted in part for olive oil which the article purported to be.

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "Finest Quality Table Oil," "Insuperabile," "Termini Imerese," and "Net Contents One Gallon," not corrected by the statement, in inconspicuous type and in an inconspicuous place, "Cottonseed oil slightly flavored with olive oil," together with the design and device of an olive tree and natives gathering olives, borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading and labeled so as to deceive and mislead the purchaser in that they represented that said article was olive oil, and that each of said cans contained 1 gallon net of the article, whereas, in truth and in fact, said article was not olive oil, but was a mixture composed in large part of cottonseed oil, and each of said cans did not contain 1 gallon net of the article, but did contain a less amount. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 21, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$100.

E. D. BALL, *Acting Secretary of Agriculture.*

7888. Adulteration of Lima beans. U. S. \* \* \* v. 725 Sacks and 142 Sacks of Lima Beans. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 12142, 12143, 12144. I. S. Nos. 9236-r, 9237-r, 9238-r, 8997-r, 8998-r. S. No. C-1713.)

On February 11 and 13, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 725 sacks and 142 sacks of Lima beans, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by N. Abramovitz, New York, N. Y., on or about November 29, 1919, and transported from the State of New York into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The article was invoiced as "Madagascar Lima Beans."

Adulteration of the article was alleged in the libels for the reason that it consisted in whole or in large part of a filthy vegetable substance.

On February 17, 1920, the Goddard Grocer Co., St. Louis, Mo., claimant of the product in one case, and the Haas-Lieber Grocer Co., and Niehoff Grocer Co., claimants in the other case, having admitted the allegations contained in the libel to be true and having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and said claimants having asserted that a portion of the product was not adulterated and that said portion was susceptible of separation from the portion thereof that was adulterated, and hav-



ing filed bond, the Goddard Grocer Co., in the sum of \$1,000, and the other claimants, in the sum of \$1,500, in conformity with section 10 of the act, it was ordered by the court that the product be delivered to said claimants upon payment of the costs of the proceedings.

E. D. BALL, *Acting Secretary of Agriculture.*

**7884. Misbranding of Cu-Co-Ba "Tarrant." U. S. \* \* \* v. 10 Dozen Boxes of Cu-Co-Ba "Tarrant." Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 10526. I. S. No. 16528-r. S. No. E-1503.)**

On June 6, 1919, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 dozen boxes of Cu-Co-Ba "Tarrant," remaining unsold in the original unbroken packages at Savannah, Ga., alleging that the article had been shipped on or about March 13, 1919, by the Tarrant Co., New York, N. Y., and transported from the State of New York into the State of Georgia, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part, "Cu-Co-Ba 'Tarrant' The Old Tarrant Extract of Cubebs and Copaiba."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of a mixture of copaiba, cubebs, and magnesium oxid.

Misbranding of the article was alleged in substance in the libel for the reason that the statements regarding the curative and therapeutic effects thereof, appearing on the labels and in the circulars accompanying the article, falsely and fraudulently represented that the article was a treatment, remedy, and cure for diseases of the kidneys and mucous membranes, especially those of the genito-urinary tract, lesions of the mucous surfaces, excessive and annoying discharges, inflammations and irritations of the bladder, kidneys, prostate, urethra and vagina, gleet, gonorrhoea, leucorrhoea, growth of the gonococcus and other obnoxious micrococci, foul discharges, raw or denuded mucous surfaces, chronic bronchitis with offensive expectoration, irritation of prostate with frequent desire to urinate, chronic catarrhal condition known as leucorrhoea or whites, or the contagious disorder known as gonorrhoea or clap, whereas, in truth and in fact, it was not.

On October 18, 1919, the Tarrant Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$150, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7885. Misbranding of G Zit. U. S. \* \* \* v. 1 Dozen Packages of "G Zit" Complete-Stearns', and 3 Dozen Packages of G Zit Antiseptics. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10622. I. S. No. 7661-r. S. No. C-1297.)**

On June 24, 1919, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 dozen packages of "G Zit" Complete-Stearns', and 3 dozen packages of G Zit Antiseptics, remaining unsold in the original unbroken packages at Tulsa, Okla., alleging that the articles had been shipped on or about April

10, 1918, by Stearns-Hollinshead Co., Portland, Oreg., and transported from the State of Oregon into the State of Oklahoma, and charging misbranding under the Food and Drugs Act as amended. The article was labeled in part, "'G Zit' Complete-Stearns' Stearns-Hollinshead Co., Inc., Portland, Oregon—Vancouver, B. C.," and "G Zit Antiseptics [Urinary]—Stearns' Stearns-Hollinshead Co., Inc., Portland, Oregon; Toronto, Canada."

Analyses of samples of the product by the Bureau of Chemistry of this department showed that the G Zit consisted of two preparations, bougies and antiseptics. The bougies consisted of silver nucleipate in a cacao butter base, and the antiseptics consisted essentially of balsam of copaiba, oleoresin of cubeb, and a small amount of sulphureted oil.

Misbranding of the article was alleged in substance in the libel for the reason that the statements regarding the curative and therapeutic effect thereof, appearing on the labels and in the circulars accompanying the article, falsely and fraudulently represented that the article was a treatment, remedy, and cure for sexual diseases, gonorrhœa, gonorrhœa neglected or wrongly treated, chronic prostatitis, stricture, and gleet, whereas, in truth and in fact, it was not.

On August 13, 1919, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7886. Misbranding of Prescription 1000. U. S. \* \* \* v. 11 Bottles of Prescription 1000. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10398. I. S. No. 12927-r. S. No. E-1431.)

On May 21, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 11 bottles of Prescription 1000, remaining unsold in the original unbroken packages at Boston, Mass., consigned on or about April 16, 1919, by the Reese Chemical Co., Cleveland, Ohio, and transported from the State of Ohio into the State of Massachusetts, and charging misbranding under the Food and Drugs Act. The article was labeled in part, "Prescription 1000 External."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of a dilute aqueous solution of potassium permanganate.

Misbranding of the article was alleged in substance in the libel for the reason that the statements regarding the curative and therapeutic effects thereof, appearing on the labels and in the circulars accompanying the article, falsely and fraudulently represented that the article was a treatment, remedy, and cure for gleet, gonorrhœa, bladder troubles, frequent urination, and inflammation, whereas, in truth and in fact, it was not.

On May 10, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7887. Misbranding of Santal Midy. U. S. \* \* \* v. 3½ Dozen Bottles of Santal Midy. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10504. I. S. No. 15718-r. S. No. E-1476.)

On June 2, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3½ dozen bottles of Santal Midy, remaining unsold in the original

unbroken packages at Baltimore, Md., consigned on or about March 28, 1919, and April 25, 1919, by E. Fougere & Co., Inc., New York, N. Y., and transported from the State of New York into the State of Maryland, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part, "Santal Midy."

Analysis of a sample of the product made by the Bureau of Chemistry of this department showed that it consisted of capsules containing santal oil.

Misbranding of the article was alleged in substance in the libel for the reason that the statements regarding the curative and therapeutic effects thereof, appearing on the labels and in the circulars accompanying the article, falsely and fraudulently represented that the article was a treatment, remedy, and cure for gonorrhœa, gleet, discharges from the urinary organs, gonorrhœa in the acute state, inflammation of the bladder when the bladder walls are inflamed and even when there is hemorrhage, hematuria, suppurative nephritis, catarrh of the bladder, chronic catarrh of the bladder, vesical catarrh of old age, stricture of the urethra, congestion of the prostate, acute cystitis when the urine is colored with blood, inflammation of the neck of the bladder, and discharges of the genito-urinary organs, whereas, in truth and in fact, it was not.

On September 15, 1919, no claimant having appeared for the property, default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7888. Misbranding of Grinnault & Co's. Injection. U. S. \* \* \* v. 3 Dozen Bottles of Grinnault & Co's. Injection. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10251. I. S. No. 2582-r. S. No. W-328.)**

On May 6, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen bottles of Grinnault & Co's Injection, remaining unsold in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped on or about October 26, 1918, by E. Fougere & Co., Inc., New York, N. Y., and transported from the State of New York into the State of California, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part, "Grinnault & Co's. Injection."

Analysis of a sample of the product made by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution containing copper sulphate and matico extractives.

Misbranding of the article was alleged in substance in the libel for the reason that the statements regarding the curative and therapeutic effects thereof, appearing on the labels and in the circulars accompanying the article, falsely and fraudulently represented that the article was a treatment, remedy, and cure for chronic and acute discharges from the urethra, muco-purulent discharges, gonorrhœa, discharges from the female generative organs, whether merely whites or of a greenish-yellow color, recent or old blennorrhagic discharges, even those that resist other treatments, cases of blennorrhagia and gonorrhœa for men, cases of catarrh, leucorrhœa, flowers, and losses, when white flowers are the result of general debility and impoverishment of the blood, whereas, in truth and in fact, it was not.

On January 14, 1920, no claimant having appeared for the product, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*



**7889. Adulteration and misbranding of scioppo tamarindo. U. S. \* \* \* v. 209 Cases of Scioppo Tamarindo. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10635. I. S. No. 10601-r. S. No. C-1295.)**

On June 19, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 200 cases of scioppo tamarindo, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on or about September 16 and 21, 1918, by Achille Starace & Co., New York, N. Y., and transported from the State of New York into the State of Illinois, and charging adulteration and misbranding under the Food and Drugs Act. The article was labeled, in part, "Scioppo Tamarindo."

Adulteration of the article was alleged in the libel for the reason that a substance consisting of, to wit, 30 per cent sugar solution, flavored with tartaric acid and artificially colored, had been substituted in part for tamarind sirup, which the article purported to be. Adulteration of the article was alleged for the further reason that it had been artificially colored with caramel in a manner whereby its inferiority was concealed.

Misbranding of the article was alleged for the reason that the cases and bottles containing the article bore the statements, to wit, "Scioppo Tamarindo" and "Tamarindo," which said statements were false and misleading, in that the said statements, together with the pictorial designs and devices appearing upon each of said bottles and the said cases, represented to the purchaser that the article of food was genuine tamarind sirup, whereas, in truth and in fact, a substance consisting of 30 per cent sugar solution flavored with tartaric acid and artificially colored had been substituted in part for genuine tamarind sirup. Misbranding of the article was alleged for the further reason that it was an imitation of tamarind sirup and was offered for sale and sold under the distinctive name of another article, to wit, scioppo tamarindo.

On October 17, 1919, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7890. Adulteration and misbranding of evaporated milk. U. S. \* \* \* v. Union Meat Co., a Corporation. Plea of guilty. Fine, \$100. (F. & D. No. 10117. I. S. Nos. 16188-p, 16191-p.)**

On July 30, 1919, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Union Meat Co., a corporation, Portland, Oreg., alleging shipment by said defendant company, on or about June 10, 1918, and June 13, 1918, in violation of the Food and Drugs Act, as amended, from the State of Oregon into the Territory of Alaska, of quantities of evaporated milk which was adulterated and misbranded. The article was labeled in part, "Marigold Brand (design of marigold) Net Weight, 16 Ozs. Evaporated Milk Manufactured by Western Condensed Milk Co. Seattle, U. S. A."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it had been insufficiently evaporated, and that the shipment of June 13 was short weight.

Adulteration of the article was alleged in the information for the reason that a partially evaporated milk had been mixed and packed with the article so

as to lower, reduce, and injuriously affect its quality and strength, and had been substituted in whole or in part for evaporated milk, which the article purported to be.

Misbranding of the article was alleged with respect to both of the shipments for the reason that the statement "Evaporated Milk," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, was false and misleading and labeled and branded so as to deceive and mislead the purchaser in that it represented that said article was evaporated milk, whereas, in truth and in fact, said article was not evaporated milk, but was a partially evaporated milk. Misbranding of the article was alleged with respect to the shipment of June 13, 1918, for the further reason that the statement, to wit, "Net Weight 16 Ozs.," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, was false and misleading and in that it was labeled so as to deceive and mislead the purchaser in that it represented that each of the said cans contained 16 ounces of the article, whereas, in truth and in fact, each of said cans did not contain 16 ounces of the article, but did contain a less amount. Misbranding was further alleged with respect to the shipment of June 13, 1918, in that it was food in package form, and the quantity of the contents thereof was not plainly and conspicuously marked on the outside of the package.

On August 9, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100.

E. D. BALL, *Acting Secretary of Agriculture.*

**7891. Adulteration and misbranding of gelatin. U. S. \* \* \* v. 200 Pounds of Alleged Gelatin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10647. I. S. No. 12104-r. S. No. C-1320.)**

On June 27, 1919, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 200 pounds of alleged gelatin, remaining unsold in the original unbroken packages at Jacksonville, Tex., alleging that the article had been shipped on or about April 16, 1919, by the W. B. Wood Mfg. Co., St. Louis, Mo., and transported from the State of Missouri into the State of Texas, and charging adulteration and misbranding under the Food and Drugs Act. The article was labeled in part, "Gelatine."

Adulteration of the article was alleged in the libel for the reason that glue had been mixed and packed with and substituted in part for gelatin, and in that it contained an added poisonous and deleterious ingredient, to wit, zinc, which might render said article injurious to health.

Misbranding of the article was alleged for the reason that the statement, to wit, "Gelatine," was false and misleading and deceived and misled the purchaser in that glue had been mixed and packed with and substituted in part for gelatin. Misbranding was alleged for the further reason that the article was an imitation of and was offered for sale under the distinctive name of another article and that it was offered for sale under the distinctive name of gelatin, whereas it was not gelatin, but contained zinc and other substances injurious to health.

On April 27, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7892. Adulteration and misbranding of evaporated milk. U. S. \* \* \* v. 111 Cases and 2 Barrels and 87 Cases of Evaporated Milk. Consent decrees of condemnation and forfeiture. Unfit portion destroyed. Fit portion released on bond.** (F. & D. Nos. 10577, 10391, 10392. I. S. Nos. 15722-r, 15723-r, 15716-r, 16717-r. S. Nos. E-1522, E-1471.)

On May 29, and June 12, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 111 cases and 2 barrels and 87 cases of evaporated milk, remaining unsold in the original unbroken packages at Baltimore, Md., consigned by J. A. Kirsch & Co., Kingston, N. Y., on or about May 12, 1919, and May 2, 1919, and transported from the State of New York into the State of Maryland, and charging adulteration and misbranding under the Food and Drugs Act. The article was labeled in part, "Arctic Brand Evaporated Milk Made in Michigan, U. S. A. \* \* \* Grand Ledge Milk Co., Detroit, Michigan" and "Country Club Brand Condensed Milk, Scio Condensed Milk Co., Scio, Oregon."

Adulteration of the article was alleged in each of the libels filed for the reason that the product consisted in whole or in part of a filthy, decomposed, and putrid animal substance, and with respect to the 87 cases it was further alleged that an insufficiently evaporated product had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for condensed milk, which the product purported to be.

Misbranding of a part of the article was alleged for the reason that a number of said cans were labeled "Condensed Milk," whereas, in truth and in fact, said product was a partially evaporated milk, and that the said statement was false and misleading, and deceived and misled the purchaser. Misbranding of another part of the article was alleged for the reason that the statement on the cans, "condensed milk," was misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the product was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, condensed milk.

On August 14, 1919, the two seizures were consolidated and Bernheimer Bros., claimant, having filed an answer and consented to a decree, a decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be assorted under the supervision of this department, the portion found to be unfit for human consumption to be destroyed by the United States marshal, and the portion found to be fit for human consumption to be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7893. Adulteration and misbranding of cocoa. U. S. \* \* \* v. 6 Boxes of a Product Purporting to be Cocoa. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10160. I. S. No. 13010-r. S. No. E-1321.)

On April 24, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 boxes of a product purporting to be cocoa, remaining unsold in the original unbroken packages at Boston, Mass., consigned on or about March 24, 1919, by the National Cocoa Mills, New York, N. Y., and transported from



the State of New York into the State of Massachusetts, and charging adulteration and misbranding under the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that said food consisted wholly or in part of starch and sugar and contained excessive cocoa shells, and in that the product was mixed in a manner whereby its inferiority was concealed.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, cocoa, and for the further reason that the statement, "My Own Pure Cocoa," not sufficiently corrected by the inconspicuous statement, "My own cocoa compound," was false and misleading. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight or measure.

On August 5, 1919, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7894. Misbranding of olive oil. U. S. \* \* \* v. 3 Cases of Olive Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10390. I. S. No. 9432-r. S. No. C-1264.)**

On May 27, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 cases of olive oil, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about April 19, 1919, by Kakarakis Bros., Chicago, Ill., and transported from the State of Illinois into the State of Missouri, and charging misbranding under the Food and Drugs Act. The article was labeled in part: (Gallon cans) "Contents 1 Gallon Electra Brand Extra superfine pure olive oil \* \* \* Pure \* \* \* Imported and packed by Kakarakis Bros., Chicago, Ill. \* \* \*;" (half-gallon cans) "Contents  $\frac{1}{2}$  Gallon Electra Brand Extra superfine pure olive oil \* \* \* Imported and packed by Kakarakis Bros., Chicago, Ill. \* \* \*;" (quart cans) "Contents 1 Quart Electra Brand Extra superfine pure olive oil \* \* \* Imported and packed by Kakarakis Bros., Chicago, Ill. \* \* \*."

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements, contained on the labels on the can aforesaid, as to the quantity of the contents aforesaid, were false and misleading and deceived and misled the purchaser thereof.

On May 8, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7895. Adulteration of dried Lima beans. U. S. \* \* \* v. 308 Sacks of Dried Lima Beans. Consent decree of condemnation and forfeiture. Good portion ordered released under bond. (F. & D. Nos. 12562, 12563. I. S. Nos. 9027-r, 9032-r. S. No. C-1853.)**

On March 18, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 308 sacks of dried Lima beans, remaining unsold in

the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about February 2, 1920, by Adolph Goldmark & Sons, New York, N. Y., and transported from the State of New York into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that said product consisted in whole or in part of a filthy vegetable substance.

On April 8, 1920, the L. Cohen Grocery Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that as much of the product as was fit for food (194 sacks) be released to said claimant upon the payment of the costs of the proceedings and the execution of a satisfactory bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7896. Misbranding of Ring's Rose Injection. U. S. \* \* \* v. 15 Bottles of Ring's Rose Injection. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10371. I. S. No. 12931-r. S. No. E-1427.)**

On May 21, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 15 bottles of Ring's Rose Injection, remaining unsold in the original unbroken packages at Boston, Mass., consigned on or about January 18, 1919, by Charles L. Huisking, New York, N. Y., and transported from the State of New York into the State of Massachusetts, and charging misbranding under the Food and Drugs Act, as amended.

Analysis of a sample of the product made by the Bureau of Chemistry of this department showed that it consisted essentially of lead and zinc, acetates and sulphates, alcohol, and water perfumed with oil of rose.

Misbranding of the article was alleged in substance in the libel for the reason that the statements regarding the curative and therapeutic effects thereof, appearing on the labels and in the circulars accompanying the article, falsely and fraudulently represented that the article was a treatment, remedy, and cure for gonorrhœa, gleet, whites, and all improper discharges of the sexual organs in male and female, cutaneous diseases, stricture, venereal sores, cutaneous eruptions, pimples, sun burns, and prickly heat, whereas, in truth and in fact, it was not.

On May 10, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7897. Misbranding of Pabst's Okay Specific. U. S. \* \* \* v. 12 Dozen Bottles and 12 Dozen Bottles of Pabst's Okay Specific. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 10083, 10084. I. S. Nos. 2423-r, 2752-r. S. Nos. W-309, W-310.)**

On April 23, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 12 dozen bottles and 12 dozen bottles of Pabst's Okay Specific, remaining unsold in the original unbroken packages at San Francisco, Calif., alleging that 6 dozen bottles of the article had been shipped on September 28, 1918, 6 dozen bottles on November 18, 1918, and 12 dozen bottles on December 11, 1918, by the Pabst Chemical Co., Chicago, Ill., and transported from the

State of Illinois into the State of California, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part, "Pabst's O. K. Okay Specific (O. K. trade mark) Alcohol 24 per cent Pabst Chemical Co. Chicago, Ill."

Analyses of samples of the product by the Bureau of Chemistry of this department showed that it consisted essentially of balsam of copaiba, oleoresin of cubeb, plant extractives including buchu and uva ursi, and alcohol.

Misbranding of the article was alleged in substance in both of the libels for the reason that the statements, regarding the curative and therapeutic effects thereof, appearing on the labels and in the circulars accompanying the article, falsely and fraudulently represented that the article was a treatment, remedy, and cure for gonorrhœa, gleet, urethritis, and chronic mucous discharges, whereas, in truth and in fact, it was not.

On January 14, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7898. Misbranding of Bliss Native Herbs. U. S. \* \* \* v. 14 Dozen Boxes of an Article of Drugs, Labeled in Part "Bliss Native Herbs," and U. S. \* \* \* v. 2½ Dozen Boxes of an Article of Drug, Labeled in Part "Bliss Native Herbs." Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 11308, 11309. I. S. Nos. 13505-r, 13508-r. S. Nos. E-1754, E-1755.)**

On September 27, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 16½ dozen boxes of an article of drugs, labeled in part "Bliss Native Herbs," at New York, N. Y., alleging that the article had been shipped on or about June 27 and August 29, 1919, by the Alonzo Bliss Medical Co., Washington, D. C., and transported from the District of Columbia into the State of New York, in violation of the Food and Drugs Act, as amended.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it consisted essentially of aloes, uva ursi, buchu, and licorice.

Misbranding of the article was alleged in substance in the libels in that the statements on the cartons inclosing, and on the labels on the boxes containing, and in the circulars accompanying the article, regarding the article and its therapeutic and curative effects and the ingredients and substances contained in the article, in part, to wit, "Auto-Intoxication is a new name for Chronic Intestinal Stasis (constipation) that is the cause of 95% of human ailments and diseases. \* \* \* To restrain the growth of harmful bacteria in the intestines and eliminate them, thereby preventing intestinal putrefaction and auto-intoxication we strongly recommend Bliss Native Herbs Tablets that successfully adjusts bowel troubles. \* \* \* Kidneys and Bladder Inflammation of bladder, scalding urine and brick-dust sediment. Backache, sharp shooting pains in back, weakness, indicates kidney and bladder trouble. \* \* \* Liver When the liver is out of order the symptoms are pronounced headache, sallow complexion, constipation and dizziness, yellow eyeballs, jaundice, sour stomach, variable appetite and generally out-of-sorts condition. \* \* \* Catarrh \* \* \* When this disease in the system, Bliss Native Herbs should be used to regulate the stomach and bowels and to purify the blood, thus affording the body more nourishment and force to throw off the ailment and also



providing the means of carrying it from the system. \* \* \* Grippe Influenza or epidemic catarrh, characterized by active catarrhal inflammations, attended by severe pains throughout the body, sometimes followed by disability. \* \* \* The Blood \* \* \* Bliss Native Herbs is a great blood stimulator, which also aids in benefiting many of the bodily organs, and healing the afflicted or diseased parts reached through the blood. \* \* \* Piles One of the principal causes of piles is constipation, produced, frequently, by straining at stool and by lack of exercise of the rectal muscles. \* \* \* Malaria, Chills and Fever Bliss Native Herbs should be taken for this ailment in dose of three tablets the first night and then one each night thereafter until every symptom has disappeared. \* \* \*,” were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it in the above statements.

On October 8, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7899. Misbranding of Milks Emulsion. U. S. \* \* \* v. 2½ Dozen Bottles, Large Size, and 4½ Dozen Bottles, Small Size, of an Article of Drugs, Labeled in Part “Milks Emulsion.” Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11316. I. S. Nos. 13506-r, 13507-r. S. No. E-1759.)**

On September 27, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 7½ dozen bottles of an article of drugs, labeled in part “Milks Emulsion,” at New York, N. Y., alleging that the article had been shipped on or about July 25, 1919, by the Milks Emulsion Co., Terre Haute, Ind., and transported from the State of Indiana into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted largely of petrolatum, with small quantities of sugar, glycerin, oil of lemon, and methyl salicylate.

Misbranding of the article was alleged in substance in the libel in that the statements on the labels of the bottles containing, on the cartons enclosing, and in the circulars and booklets accompanying the article, regarding the therapeutic and curative effects of the article and the ingredients and substances contained in the article, in part, to wit, (large and small bottles) “Milks Emulsion \* \* \* A Valuable Remedy for dyspepsia, indigestion, catarrh of stomach and bowels, \* \* \* bronchial asthma, catarrhal croup, bronchitis, \* \* \* Especially beneficial in incipient consumption \* \* \*,” (carton) “Milks Emulsion \* \* \* A valuable Remedy for dyspepsia, indigestion, catarrh of the stomach and bowels, \* \* \* colds, coughs due to sore throat, bronchial pneumonia, incipient consumption, bronchial asthma, catarrhal croup. \* \* \* strengthens the digestive organs, \* \* \* enriching the blood and increasing the flesh. It gives relief in curable Throat, Lung, Stomach and Bowel Troubles, cleans and heals the afflicted parts and enables the machinery of the body to do its work properly, thus restoring strength and flesh and contributing to perfect health. \* \* \* Is very beneficial in incipient consumption, \* \* \* coughs due to sore throat, bronchitis or pneumonia. Bronchial asthma, dyspepsia, indigestion, catarrh of the stomach and bowels \* \* \*. Especially beneficial in the ills of children. It builds up their system, enriches their blood, improves the appetite, strengthens the throat,

lungs and stomach, which are only too often the cause of croupy, weak and puny children. \* \* \* Relieves catarrhal croup, and several doses given during the day will prevent it. Thousands of mothers endorse Milks Emulsion because it strengthens their children as nothing else has ever done, thus rendering them less liable to many of the contagious diseases so common among children. \* \* \*," (booklet accompanying both sizes) "Consumption (In Its Early Stages) Can Be Cured. The use of Milks Emulsion, which is 95 per cent petroleum, \* \* \* in the treatment of tuberculosis of the lungs, \* \* \* Milks Emulsion contains a great amount of fat.\* \* \* \* It is absolutely necessary to clean the lungs of all poisonous pus before Nature can start to heal them. Milks Emulsion will start the accumulation of pus from the cavities that have formed in the lungs by the eating away of the tissues of the walls of the air cells by the tubercular germs, in ten to twenty-four hours. \* \* \* Nature will cause the lungs to heal and build up rapidly. \* \* \* Remember, you take no chances. Milks Emulsion is an absolute preventive for spasmodic croup. \* \* \* Milks Emulsion will build up the system, improve the appetite, enrich the blood and strengthen the organs of the throat and lungs which are only too often the cause of croupy, sick and puny children. Mothers endorse Milks Emulsion because it strengthens and builds up their children as nothing else has ever done, rendering them less liable to contract many of the contagious diseases so rife among children," were false and fraudulent in that the product contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed in the above statements for the article. Further misbranding of the article was alleged in that the statement, to wit, "Milks Emulsion contains a great amount of fat," regarding the article, was false and misleading in that the article contained no fat.

On October 8, 1919, no claimant having appeared, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7900. Misbranding of Milks Emulsion. U. S. \* \* \* v. 20½ Dozen Bottles of Milks Emulsion. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11191. I. S. Nos. 17262-r, 17263-r. S. No. E-1706.)**

On September 18, 1919, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police Court of the District aforesaid a libel for the seizure and condemnation of 20½ dozen bottles of Milks Emulsion at the city of Washington, D. C., alleging that the article had been shipped on or about August 4, 1919, by the Milks Emulsion Co., Terre Haute, Ind., and transported from the State of Indiana into the District of Columbia, and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part, "Milks Emulsion \* \* \* A Valuable Remedy For Dyspepsia, Indigestion, Catarrh of Stomach and Bowels \* \* \* Bronchial Asthma, Catarrhal Croup, Bronchitis \* \* \* Especially Beneficial in Incipient Consumption \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted largely of petroleum with small quantities of sugar, glycerin, and alcohol, oil of lemon, and methyl salicylate.

Misbranding of the article was alleged in substance in the libel in that the statements in the booklet accompanying the article, regarding the curative and therapeutic effects of the article in part, to wit, "Milks Emulsion contains a great amount of fat," was false and misleading in that the article contained no fat. Further misbranding was alleged in that the statements on the label

of the bottle containing, on the carton enclosing, and in the booklet accompanying the article, regarding the therapeutic and curative effects of the article, in part, to wit, "Milks' Emulsion \* \* \* A Valuable Remedy For Dyspepsia, Indigestion, Catarrh of Stomach and Bowels \* \* \* Bronchial Asthma, Catarrhal Croup, Bronchitis \* \* \* Especially Beneficial in Incipient Consumption \* \* \* Milks' Emulsion \* \* \* a valuable remedy for Dyspepsia, Indigestion, Catarrh of the Stomach and Bowels, \* \* \* Colds, Coughs Due to Sore Throat, bronchitis or pneumonia, Incipient Consumption, Bronchial Asthma, Catarrhal Croup \* \* \* strengthens the digestive organs, \* \* \* enriching the blood and increasing the flesh. It gives relief in curable Throat, Lung, Stomach and Bowel Troubles, cleans and heals the afflicted parts and enables the machinery of the body to do its work properly, thus restoring strength and flesh and contributing to perfect health. \* \* \* is very beneficial in Incipient Consumption \* \* \* Coughs, Due to Sore Throat, Bronchitis or Pneumonia, Bronchial Asthma, Dyspepsia, Indigestion, Catarrh of the Stomach and Bowels. \* \* \* Especially Beneficial in the Ills of Children. It builds up their system, enriches their blood, improves the appetite, strengthens the throat, lungs and stomach, which are only too often the cause of croupy, weak and puny children. \* \* \* Relieves catarrhal croup, and several doses given during the day will prevent it. Thousands of mothers endorse Milks Emulsion because it strengthens their children as nothing else has ever done, thus rendering them less liable to many of the contagious diseases so common among children. \* \* \* Valuable information for those suffering from Dyspepsia, Indigestion, Catarrh of the Stomach and Bowels, Chronic Constipation, Bronchitis, Colds and Coughs, Spasmodic Croup, Consumption (in its early stages), Bronchial Asthma. \* \* \* Stomach trouble, as understood by the laity, covers acute and chronic dyspepsia, indigestion, gastritis, chronic gastric catarrh, chronic nervous dyspepsia, ulcer of the stomach, cancer of the stomach, syphilis of the stomach, and tumors of the stomach. \* \* \* Milks Emulsion has a soothing and healing effect upon the lining of the stomach and bowels, similar to that of glycerin and sweet oil when applied to the face or hands \* \* \* After cleaning the lining of the stomach and bowels, Milks Emulsion leaves them covered with a soothing and healing coat of oil. Thousands of people have reported to us that they found relief in the use of Milks Emulsion for various forms of stomach trouble, almost from the first dose, notwithstanding the fact that they had been afflicted for years and that every thing they ate distressed them. \* \* \* Consumption (In Its Early Stages) Can be Cured \* \* \* The use of Milks Emulsion \* \* \* is not a new idea or discovery in the treatment of tuberculosis of the lungs \* \* \* It is absolutely necessary to clean the lungs of all poisonous pus before Nature can start to heal them. Milks Emulsion will start the accumulation of pus from the cavities that have formed in the lungs by the eating away of the tissues of the walls of the air cells by the tubercular germs, in ten to twenty-four hours. \* \* \* It will cause the consumptive to expectorate very freely, and loosen the cough as well," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it by the above-quoted statements.

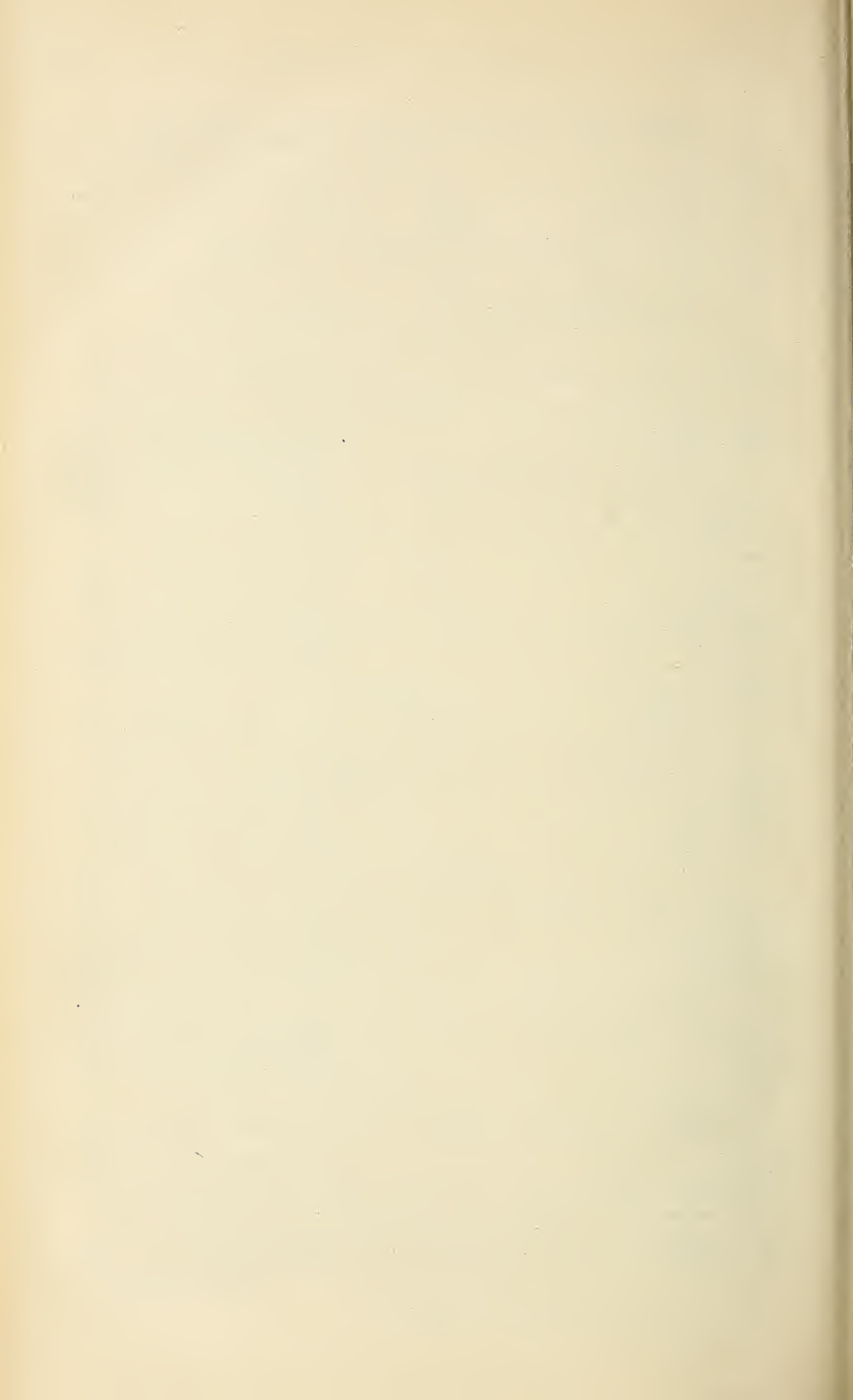
On October 13, 1919, the Milks Emulsion Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimants upon payment of the costs of the proceedings and the execution of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*



# INDEX TO NOTICES OF JUDGMENT 7851 TO 7900.

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Beans, Lima :		Milk :	
Abramovitz, N-----	7883	Elms, Amos C-----	7856
Davies, Turner & Co-----	7876	evaporated :	
Goldmark, Adolph, & Sons		Kirsch, J. A., & Co-----	7892
	7879, 7895	Union Meat Co-----	7890
Birch oil. <i>See</i> Oil.		Milks Emulsion :	
Blackberry cider. <i>See</i> Cider.		Milks Emulsion Co-----	7861,
Bliss native herbs :			7899, 7900
Bliss, Alonzo, Medical Co--	7898	Oil, birch :	
Cherry cider. <i>See</i> Cider.		Buchanan, Z. B-----	7871
Cider, blackberry :		Green Goods Supply Shop--	7853
National Fruit Products Co--	7870	Hicks, D. C-----	7851
cherry :		Ray, T. J-----	7852
National Fruit Products Co--	7870	Teaster, M. G-----	7852
grape :		Winters, D. A-----	7853
National Fruit Products Co--	7870	olive :	
Cocoa :		Economou-Ritsos Co-----	7866
National Cocoa Mills-----	7893	Kakarakis Bros-----	7894
powder :		Papadopoulos, G. P-----	7882
Henry, Leon-----	7864	Sclafani, D., & Marinello, L--	7869
Copaiba, cubebs with :		wintergreen :	
Tarrant Co-----	7884	Green Goods Supply Shop--	7853
Cubebs with copaiba :		Winters, D. A-----	7853
Tarrant Co-----	7884	Olive oil. <i>See</i> Oil.	
Cu-Co-Ba "Tarrant" :		Oysters :	
Tarrant Co-----	7884	Elsworth, J. & J. W., Co--	7881
D. D. D. remedy for eczema :		Pabst's okay specific :	
Williams Mfg. Co-----	7878, 7880	Pabst Chemical Co-----	7897
Dairy feed. <i>See</i> Feed.		Prescription 1000 :	
Eczema remedy. <i>See</i> Remedy.		Reece Chemical Co-----	7886
Eggs, frozen :		Remedy, eczema :	
Jerpe Commission Co-----	7865	Williams Mfg. Co-----	7878, 7880
Emulsion, Milks :		Ring's Rose injection :	
Milks Emulsion Co-----	7861,	Huisking, C. L-----	7896
	7899, 7900	Santal Midy :	
Evaporated apples. <i>See</i> Apples.		Fougera, E., & Co-----	7887
Milk. <i>See</i> Milk.		Sausage, smoked :	
Feed, dairy :		Chassen, Morris-----	7858
Stegall & Thornton Co-----	7855	Sirup, tamarind :	
Fish, tuna :		Starace, Achille, & Co-----	7889
White Star Canning Co--	7873	Spaghetti :	
Flour :		Mercurio Bros. Spaghetti	
Wells-Abbott-Nieman Co--	7857	Mfg. Co-----	7862
Frozen eggs. <i>See</i> Eggs.		Specific, Pabst's okay :	
G Zit :		Pabst Chemical Co-----	7897
Stearns-Hollinshead Co-----	7885	Tamarind sirup. <i>See</i> Sirup.	
Gelatin :		Tomato purée :	
Gage, W. H., Glue Co-----	7860	Morris Canning Co-----	7863
Wood, W. B., Mfg. Co-----	7891	sauce :	
Grape cider. <i>See</i> Cider.		Page, Thomas-----	7854
Grimault & Co's. injection :		Tomatoes, canned :	
Fougera, E., & Co-----	7888	Thomas, W. J., & Co-----	7872
Herbs, Bliss native :		Tuna fish. <i>See</i> Fish.	
Bliss, Alonzo, Medical Co--	7898	Vinegar :	
Hien Fong Essence :		Gregory, O. L., Co-----	7868
Knorr Medical Co-----	7874, 7875	Wintergreen oil. <i>See</i> Oil.	



# United States Department of Agriculture,

## BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

### SERVICE AND REGULATORY ANNOUNCEMENTS.

#### SUPPLEMENT.

N. J. 7901-7950.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., December 15, 1920.]

#### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**7901. Misbranding of Enoob Capsules and Enoob Injection. U. S. \* \* \***  
**v. 21 Bottles of a Drug Known as Enoob Capsules and 21 Bottles of**  
**Enoob Injection. Default decree of condemnation, forfeiture, and**  
**destruction. (F. & D. No. 11016. I. S. Nos. 15766-r, 15767-r. S. No.**  
**E-1656.)**

On July 22, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 21 bottles of a drug known as Enoob Capsules and 21 bottles of Enoob Injection, consigned November 7, 1917, alleging shipment by The Tropical Co-operative Co., Jacksonville, Fla., transported from the State of Florida into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the capsules contained a mixture essentially of santal oil, copaiba, cubeb, and matico, and that the injection consisted of a solution containing zinc sulphate, boric acid, phenol, and probably thymol.

Misbranding of the articles was alleged in that the statements on the labels of the bottles containing and in the circulars accompanying the articles, regarding the therapeutic and curative effects of the articles, to wit, (box) "Enoob Capsules \* \* \* A highly efficient treatment for Gonorrhoea & Gleet and other diseases of the Bladder and Urinary Organs," (circular) " \* \* \* the treatment must continue (although you are seemingly cured) for at least three weeks from the beginning of the case or until you have used three or five boxes of the capsules. \* \* \* The sanitary care is greatly simplified and the cure more speedy if a mild injection (One Guaranteed Not To Stricture) is used in connection with these Capsules. The Enoob Injection is Guaranteed Not To Stricture and can be purchased at any drug store for 50 Cents," (also the testimonials of John H. Gee, Jr., and Wm. F. Houston), (bottle) "Enoob Antiseptic Injection relieves Gonorrhoea," were false and fraudulent in that the articles did not contain any ingredient or combination of ingredients capable of producing the effect claimed by the above statements for the articles.



On September 15, 1919, no claimant having appeared, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7302. Misbranding of Buffalo Corn Gluten Feed. U. S. \* \* \* v. Corn Products Refining Co., a Corporation. Plea of guilty. Fine, \$10. (F. & D. No. 11349. I. S. No. 17004-r.)**

On October 30, 1919, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Corn Products Refining Co., a corporation, Edgewater, N. J., alleging shipment by the defendant, in violation of the Food and Drugs Act, on or about August 20, 1918, from the State of New Jersey into the Island of Porto Rico, of a quantity of an article, labeled in part "Buffalo Corn Gluten Feed Corn Products Refining Co. New York, U. S. A.," which was misbranded.

Analysis of a sample by the Bureau of Chemistry of this department showed that the article contained 21.57 per cent of nitrogen as protein.

Misbranding of the article was alleged in that the statement on the sacks containing the article, regarding the article and the ingredients and substances contained therein, to wit, "Protein minimum 23.0%," was false and misleading in that it represented that the article contained not less than 23 per cent of protein, whereas it contained less than 23 per cent of protein, to wit, 21.57 per cent of protein. It was further misbranded in that it was labeled so as to deceive and mislead the purchaser into the belief that the article contained not less than 23 per cent of protein, whereas it contained less than 23 per cent of protein, to wit, 21.57 per cent of protein.

On November 24, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10.

E. D. BALL, *Acting Secretary of Agriculture.*

**7903. Misbranding of Prescription 500 Capsules. U. S. \* \* \* v. 18 Dozen Boxes of a Drug Labeled in Part "Prescription 500 Capsules." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11275. I. S. No. 14601-r. S. No. E-1729.)**

On September 23, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 18 dozen boxes of an article of drug, labeled in part "Prescription 500 Capsules," at New York, N. Y., alleging that the article had been shipped on or about July 31, 1919, by the Grape Capsule Co., Allentown, Pa., and transported from the State of Pennsylvania into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of capsules containing essentially a mixture of santal oil, cottonseed oil, copaiba, cubebs, and salol.

Misbranding of the article was alleged in that the statements, borne on the packages containing the article, regarding the therapeutic and curative effects of the article and the ingredients and substances contained therein, to wit, "Prescription 500 \* \* \* Capsules for Gonorrhoea, Gleet, Acute Cystitis, Etc. \* \* \* Continue taking capsules for a week after apparent cure to prevent relapse. \* \* \*," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the therapeutic and curative effects claimed by the above statements.

On October 8, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7904. Misbranding of cottonseed cake. U. S. \* \* \* v. Thomas R. Pugh and Joseph W. Pugh, Trading as Wilmot Oil Mill. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 11208. I. S. No. 19429-p.)**

On December 18, 1919, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Thomas R. Pugh and Joseph W. Pugh, trading as Wilmot Oil Mill, Wilmot, Ark., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on February 21, 1918, from the State of Arkansas into the State of Kansas, of a quantity of an article which was misbranded.

Examination by an inspector of this department showed that the article was not labeled.

Misbranding of the article was alleged in that the article was food in package form, and the quantity of the contents of the package was not plainly and conspicuously marked on the outside thereof in terms of weight, measure, or numerical count.

On February 17, 1920, defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*

**7905. Adulteration of eggs. U. S. \* \* \* v. 49 Cases of Eggs. Consent decree of condemnation and forfeiture. Edible portion of product ordered sold. (F. & D. No. 11175. I. S. No. 8602-r. S. No. C-1432.)**

On August 21, 1919, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 49 cases of eggs at Minneapolis, Minn., consigned by White City Creamery & Produce Co., Noonan, N. Dak., alleging shipment on or about August 6, 1919, and transportation from the State of North Dakota into the State of Minnesota, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in that it consisted in whole or in part of decomposed eggs.

On October 31, 1919, White City Creamery & Produce Co. and Cudahy Packing Co., claimants, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the eggs be candled and all edible eggs sold, and, after payment of the costs of the proceedings and the freight charges, the sum of \$37.85 be paid to the Cudahy Packing Co., and \$107.18 be paid to the White City Creamery & Produce Co., and that the inedible eggs be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7906. Misbranding of Surety Brand cottonseed meal. U. S. \* \* \* v. American Cotton Oil Co. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 11213. I. S. No. 11052-r.)**

On April 5, 1920, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the American Cotton Oil Co., Pine Bluff, Ark., alleging shipment by said defendant in violation of the Food and Drugs Act, on or about October 19,

1918, from the State of Arkansas into the State of Michigan, of a quantity of an article, labeled in part "Surety Brand Cotton Seed Meal Made by Union Seed & Fertilizer Co., Pine Bluff, Ark." which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

	Per cent
Crude fiber.....	16.90
Crude protein.....	33.47
Total nitrogen.....	5.355

Misbranding of the article was alleged in that the statements appearing on the label affixed to the sacks containing the article, regarding the article, to wit, "Protein Not less than 36.00 per cent" and "Fibre Not more than 14.00 per cent," were false and misleading in that they represented to purchasers of the article that the article contained not less than 36 per cent of protein and not more than 14 per cent of fiber, whereas the article contained less than 36 per cent of protein and more than 14 per cent of fiber. The article was further misbranded in that it was labeled as above stated so as to deceive and mislead the purchaser into the belief that the article contained not less than 36 per cent of protein and not more than 14 per cent of fiber, whereas the article contained less than 36 per cent of protein and more than 14 per cent of fiber.

On April 5, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**7907. Adulteration and misbranding of wheat shorts. U. S. \* \* \* v. 400 Sacks of Alleged Wheat Shorts. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11360. S. No. C-1478.)**

On September 26, 1919, the United States attorney for the Southern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 400 sacks of alleged wheat shorts, at Mobile, Ala., alleging that the article had been shipped on September 8, 1919, by the Peerless Milling & Feed Co., Cairo, Ill., and transported from the State of Illinois into the State of Alabama, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in that substances had been mixed and packed with the article so as to reduce or lower or injuriously affect its quality and strength, and that substances, namely, ground wheat bran and ground screenings, had been mixed, packed, and substituted wholly or in part for the alleged article, and further in that the product had been mixed and powdered in a manner whereby damage or inferiority was concealed.

Misbranding of the article was alleged in that the statement on the label borne on the sacks, regarding the article, to wit, "Wheat Shorts from Wheat Products and Ground Screenings," was false and misleading and deceived and misled the purchaser. Further misbranding was alleged in that the article was an imitation of, and sold under the distinctive name of, another article, namely, wheat shorts.

On October 23, 1919, the Peerless Milling & Feed Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimants upon the payment of the costs of the proceedings and the execution of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*



**7908. Misbranding of Knorr's Hien Fong Essence.** U. S. \* \* \* v. 306 Bottles of Knorr's Hien Fong Essence. (F. & D. No. 12094. I. S. No. 9241-r. S. No. C-1746.)

On February 14, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 306 bottles of Knorr's Hien Fong Essence, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Knorr Medical Co., Detroit, Mich., on or about October 13 and December 23, 1919, and transported from the State of Michigan into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of volatile oils of mint and lavender, with alcohol and water and a small amount of ether.

Misbranding of the article was alleged in that the statements on the wrapper enclosing, on the bottle containing, and in the circular accompanying the article, regarding the curative and therapeutic effects of the article, to wit, (wrapper) "Cholera Morbus, Indigestion, and Sore Throat and as a prophylactic in suspected cases of Croup and Diphtheria," (bottle) "Cholera Morbus, Indigestion, Summer Complaint, Neuralgia, Catarrh, Grippe, Tonsillitis, Sore Throat. In case of Diphtheria and Croup, these drops may be used to advantage as a gargle in connection with the regular prescribed treatment," (circular) "Asthma, Grippe, In Inflammation and weakness of the eyes, Dullness of Ears, Catarrh, and Hayfever. In suspected Diphtheria and Croup the Essence will be valuable as a prophylactic treatment, Catarrh, Cholera Morbus, and Summer Complaint," were false and fraudulent.

On May 20, 1920, Osear Gotsch, claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant upon the payment of the costs of the proceedings and the execution of a bond, in conformity with section 70 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7909. Misbranding of Knoxit Injection.** U. S. \* \* \* v. 100 Bottles, 13 Dozen Bottles, 66 Bottles, 72 Bottles, and 67 Bottles of Knoxit Injection. Default decree of condemnation, forfeiture, and destruction (5 seizures). (F. & D. Nos. 10146, 10147, 10148, 10149. I. S. Nos. 5585-r, 5586-r, 5587-r, 5588-r, 5589-r. S. Nos. C-1190, C-1191, C-1192, C-1193.)

On or about May 2, 1919, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 100 bottles, 13 dozen bottles, 66 bottles, 72 bottles, and 67 bottles of Knoxit Injection, remaining unsold in the original unbroken packages at Tulsa, Okla., alleging that the article had been shipped on or about April 11, 1918, September 25, 1918, December 3, 1918, November 5, 1918, and April 11, 1918, by the Beggs Mfg. Co., Chicago, Ill., and transported from the State of Illinois into the State of Oklahoma, and charging misbranding under the Food and Drugs Act, as amended.

Analyses of samples of the product by the Bureau of Chemistry of this department showed that it consisted of an aqueous solution containing essentially zinc acetate, hydrastis, and glycerin, perfumed with oil of rose.

Misbranding of the article was alleged in substance in the libels for the reason that the statements regarding the curative and therapeutic effects thereof,

appearing on the labels and in the circulars accompanying the article, falsely and fraudulently represented that the article was a treatment, remedy, and cure for gonorrhœa, leucorrhœa or whites, catarrhal affections of the eye, nose, throat, genito-urinary organs, inflammation, hemorrhoids, ulcers, and gonorrhœa in women, whereas, in truth and in fact, it was not.

On June 25, 1919, no claimant having appeared for the property, default decrees of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7910. Misbranding of tomato paste. U. S. \* \* \* v. Alloway Packing Co., a Corporation. Plea of guilty. Fine, \$40. (F. & D. No. 9358. I. S. Nos. 1216-p, 1328-p, 1335-p, 2161-p.)**

On April 30, 1919, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Alloway Packing Co., a corporation, Alloway, N. J., alleging shipment by said company, under the name of George Roncoroni, in violation of the Food and Drugs Act, as amended, on or about October 4, 1917, November 8, 1917, and October 22, 1917, from the State of New Jersey into the State of Massachusetts, and on or about October 26, 1917, from the State of New Jersey into the State of New York, of quantities of an article, labeled in part "Net Weight 4 Lbs. 12 Oz. Roncoroni Brand Conserva A Compound Paste," which was misbranded.

Examination of samples by the Bureau of Chemistry of this department showed that the article was short weight.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Net Weight 4 Lbs. 12 Oz.," borne on the labels attached to the cans containing the article, regarding it, was false and misleading in that it represented that each of the cans contained 4 pounds 12 ounces net of the article, and for the reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the article contained 4 pounds 12 ounces net of the article, whereas, in truth and in fact, each of said cans did not contain 4 pounds 12 ounces net of the article, but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 26, 1919, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$40.

E. D. BALL, *Acting Secretary of Agriculture.*

**7911. Adulteration and misbranding of horse and mule molasses feed. U. S. \* \* \* v. Milam-Morgan Co. (Ltd.), a Corporation. Plea of guilty. Fine, \$10. (F. & D. No. 8926. I. S. No. 15005-p.)**

On May 28, 1918, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Milam-Morgan Co. (Ltd.), a corporation, New Orleans, La., alleging shipment by said company, in violation of the Food and Drugs Act, on or about May 25, 1917, from the State of Louisiana into the State of Alabama, of a quantity of an article, labeled in part "Better Horse and Mule Molasses Feed, Manufactured by Milam-Morgan Co. Ltd., New Orleans, La.," which was adulterated and misbranded.

Examination of a sample of the article by the Bureau of Chemistry of this department showed the presence of 19.13 per cent of crude fiber. Examination

also showed in the product corn, oats, alfalfa, and an appreciable amount of cottonseed hulls and finely ground peanut shells.

Adulteration of the article was alleged in the information for the reason that substances, to wit, cottonseed hulls and peanut shells, had been substituted in part for a feed made from corn, oats, alfalfa, cane molasses, and salt, which the article purported to be.

Misbranding was alleged in substance in the information for the reason that the statement "Fibre 12.00 per cent," borne on the label of the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not more than 12 per cent of fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not more than 12 per cent of fiber, whereas, in truth and in fact, it did contain more than 12 per cent of fiber, to wit, approximately 19.13 per cent of fiber; for the further reason that the statement, "Made from corn, oats, alfalfa, cane molasses, and salt," borne on the label thereof, regarding the said article and the ingredients and substances contained therein, was false and misleading in that it represented that said article consisted entirely of corn, oats, alfalfa, cane molasses, and salt; and for the further reason that it was labeled and branded as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted entirely of corn, oats, alfalfa, cane molasses, and salt, whereas, in truth and in fact, it did not so consist, but consisted in part of other substances, to wit, cottonseed hulls and peanut shells.

On June 9, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$10.

E. D. BALL, *Acting Secretary of Agriculture.*

**7942. Adulteration and misbranding of vinegar. U. S. \* \* \* v. Ozark Cider & Vinegar Co., a Corporation. Plea of guilty. Fine, \$30.**  
(F. & D. No. 9145. I. S. No. 8702-p.)

On October 21, 1918, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Ozark Cider & Vinegar Co., a corporation, Siloam Springs, Ark., alleging shipment by said company, under the name of O. L. Gregory Co., in violation of the Food and Drugs Act, on or about April 24, 1917, from the State of Arkansas into the State of Louisiana, of a quantity of vinegar which was adulterated and misbranded. The bottles containing the article were labeled in part, "Forty Grains \* \* \* Family & Table White Distilled Vinegar \* \* \* The O. L. Gregory Vinegar Co. Inc. of Fort Worth, Tex. Bottled at our Mills Siloam Springs, Ark."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed acidity, as acetic, on three different subdivisions, 3.54, 3.51, and 3.48 grams per 100 cc.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and for the further reason that a substance, to wit, added water, had been substituted in part for 40 grains vinegar, which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Forty Grains \* \* \* Vinegar," borne on the labels attached to the bottles containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article was 40 grains vinegar, to wit, a vinegar of 40 grains acid strength, and for the



further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was 40 grains vinegar, to wit, a vinegar of 40 grains acid strength, whereas, in truth and in fact, it was not, but was a vinegar reduced by water to less than 40 grains acid strength.

On October 24, 1918, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$30.

E. D. BALL, *Acting Secretary of Agriculture.*

**7913. Alleged adulteration of tomato catsup. U. S. \* \* \* v. 305 Cases of Tomato Catsup. Tried to the court. Judgment for the Frazier Packing Co., claimant. Product surrendered to the claimant. (F. & D. No. 8845. I. S. Nos. 10595-p, 10596-p. S. No. C-832.)**

On March 6, 1918, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 305 cases of tomato catsup, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about December 5, 1917, by the Frazier Packing Co., Elwood, Ind., and transported from the State of Indiana into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that it consisted in part of a decomposed vegetable substance.

On February 21, 1919, a demurrer filed by the Frazier Packing Co., as claimant, was overruled, and on the same day the same company joined issue by filing an answer. On February 22, 1919, the case having been tried before and submitted to the court, and the claimant, the Frazier Packing Co., having presented a motion for judgment in its favor, the court sustained the motion and ordered that the product be released by the United States marshal to the Frazier Packing Co.

E. D. BALL, *Acting Secretary of Agriculture.*

**7914. Misbranding of "G Zit" Complete-Stearns'. U. S. \* \* \* v. 60 Packages \$3 Size, 2 Packages \$6 Size, and 36 Packages \$11 Size of a Drug Labeled in Part "G Zit" Complete-Stearns'. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10664. I. S. No. 2930-r. S. No. W-431.)**

On June 23, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 60 packages \$3 size, 2 packages \$6 size, and 36 packages \$11 size of a drug, labeled in part "G Zit" Complete-Stearns', remaining unsold in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped on September 6, 1916, and on October 26, 1917, by Stearns-Hollinshead Co. (Inc.), Portland, Oreg., and transported from the State of Oregon into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of samples of the article by the Bureau of Chemistry of this department showed that the bougies consisted of silver nucleinate in a cacao butter base, and that the antiseptics consisted of capsules containing copaiba balsam, oleoresin of cubebs, sulphurated oil, and a small amount of unidentified plant extractives.

Misbranding of the article was alleged in substance in the libel, in that the statements on the cartons inclosing and in the circulars and in the booklets accompanying the article, regarding the therapeutic and curative effects of the

article, to wit (carton) " 'G Zit' Complete Stearns, A healing \* \* \* preparation \* \* \* less chance for complicated lasting disease when this treatment is used \* \* \* We warn you during your diseased condition and for several months after all signs disappear \* \* \*," (carton containing G Zit Antiseptics) "Remember: This Antiseptic acts on all germ life that may be lodged in the bladder \* \* \*," (carton containing G Zit Bougies) "Less chance for complicated, lasting disease if this Treatment is used," (circular) "Zit Complete Stearns. Instructions for gonorrheal patients to cure yourself to prevent sexual disease spreading from the afflicted \* \* \*" (booklet, in English and foreign languages) "Urethra \* \* \* take medicine by mouth two days ahead of using any medicine in the urethra \* \* \* (use Zit antiseptics urinary Stearns) \* \* \* then you must use \* \* \* Zit Bougies \* \* \* This medicine does destroy the germ of gonorrhoea \* \* \*. For gonorrhoea use Zit Complete Stearns; Gonorrhoea neglected or wrongly treated is the cause of chronic prostatitis; therefore gonorrhoea patients should use Zit Complete Stearns \* \* \*; Stricture \* \* \* very often gleet is not more than a symptom of stricture \* \* \* every case of stricture could be avoided \* \* \* To avoid use Zit complete Stearns without \* \* \* using other medicine; Seminal vesiculitis \* \* \* to prevent it follow all directions \* \* \* on labels of Zit Complete Stearns \* \* \* till cure is final and complete," were false and fraudulent in that the article contained no ingredient or combination of ingredients which would be effective in accomplishing the results claimed in the above mentioned statements.

On January 14, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7915. Misbranding of The Texas Wonder. U. S. \* \* \* v. 36 Packages of a Product Labeled in Part "The Texas Wonder." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10741. I. S. No. 7186-r. S. No. C-1352.)**

On July 9, 1919, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 36 packages of a drug, labeled "The Texas Wonder," remaining unsold in the original unbroken packages at Louisville, Ky., consigned on or about May 3, 1919, by E. W. Hall, St. Louis, Mo., alleging that the article had been transported from the State of Missouri into the State of Kentucky, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of oleoresin of copaiba, rhubarb, turpentine, guaiac, and alcohol.

Misbranding of the article was alleged in the libel in that the statements on the labels on the bottles containing, and in the circulars accompanying, the article, regarding the therapeutic or curative effects of the article, to wit, "The Texas Wonder \* \* \* Directions \* \* \* A Texas Wonder, Hall's Great Discovery for Kidney and Bladder Troubles. E. W. Hall, St. Louis, Mo.," were false and fraudulent.

On September 26, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7916. Adulteration of oysters. U. S. \* \* \* v. N. P. Housman Oyster Co., a Corporation. Plea of guilty. Fine, \$25. (F. & D. No. 10775. I. S. No. 6715-r.)**

On November 18, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against N. P. Housman Oyster Co., New York, N. Y., alleging shipment by the defendant, on January 3, 1919, in violation of the Food and Drugs Act, from the State of New York into the State of Illinois, of a quantity of oysters which were alleged to be adulterated.

Analysis of a sample by the Bureau of Chemistry of this department showed that the product had been excessively washed with water.

Adulteration of the article was alleged in the information in that a substance, to wit, water, had been mixed and packed with the article so as to lower and reduce and injuriously affect its quality and strength, and for the further reason that a substance, to wit, water, had been substituted in part for oysters which the article purported to be.

On December 10, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

**7917. Misbranding of Presto. U. S. \* \* \* v. 20 Boxes, Each Containing  $\frac{1}{2}$  Dozen Bottles of Drugs, Labeled in Part "Presto." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10844. I. S. No. 7185-r. S. No. C-1369.)**

On July 12, 1919, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 boxes, each containing  $\frac{1}{2}$  dozen bottles of Presto, remaining unsold in the original unbroken packages at Louisville, Ky., consigned by The Presto Co. (J. A. McCampbell), Knoxville, Tenn., on October 18, 1917, alleging that the article had been transported from the State of Tennessee into the State of Kentucky, in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted of an aqueous solution of zinc sulphate and glycerin.

Misbranding of the article was alleged in the libel in that the statements on the boxes containing, and on a card accompanying the article, regarding the therapeutic and curative effects of the article, to wit, "Presto for Gonorrhea and Gleet \* \* \* Cannot Cause Stricture \* \* \* Presto \* \* \* No stricture \* \* \* Is the Remedy for Gonorrhea and gleet," were false and fraudulent.

On September 26, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7918. Misbranding of King's O. K. Capsules. U. S. \* \* \* v. 69 Boxes of King's O. K. Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10854. I. S. No. 13966-r. S. No. E-1653.)**

On September 5, 1919, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and



condemnation of 69 boxes of King's O. K. Capsules, remaining unsold in the original unbroken packages at Schenectady, N. Y., alleging that the article had been shipped on April 26, 1919, and on June 15, 1919, by Hance Bros. & White, Philadelphia, Pa., and transported from the State of Pennsylvania into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of capsules containing a mixture of santal oil and salol and tablets containing pepsin.

Misbranding of the article was alleged in that the statements on the boxes containing the article, regarding the therapeutic or curative effects of the article, to wit, "King's O. K. Capsules \* \* \* King Medicine Co. Philadelphia \* \* \* King's O. K. Capsules \* \* \* Used for Gonorrhoea, Weakness, Diseases of the Bladder or Kidneys, Scalding or Burning or Thin Discharges," were false and untrue, and were wilfully, wrongfully, and unlawfully intended to deceive anyone reading the said statements, and were wilfully and wrongfully intended to cause anyone reading the same to believe that the product would produce the curative effects claimed for it by the above statements, whereas it would not, but contained a green oil consisting essentially of santal oil and salol, which did not contain any ingredient or combination of ingredients capable of producing the effects claimed for the article by the above statements.

On October 21, 1919, no claimant having appeared for the property, a decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7919. Adulteration of oysters. U. S. \* \* \* v. Merrell-Haviland Oyster Co., a Corporation. Plea of guilty. Fine, \$25. (F. & D. No. 10884. I. S. Nos. 2004-r, 2005-r. 2412-r.)**

On December 16, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Merrell-Haviland Oyster Co., a corporation, New York, N. Y., alleging shipment by the defendant, in violation of the Food and Drugs Act, on or about January 6, 1919, from the State of New York into the States of Washington and California, of a quantity of an article which was alleged to be adulterated. The article was labeled in part, "Shipped by Member of Oyster Growers & Dealers Ass'n of N. A. \* \* \* Merrell-Haviland Oyster Co., Foot of Pike St., E. R., New York."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the addition of water.

Adulteration of the article was alleged in the information in that a certain substance, to wit, water, had been substituted in part for oysters, which the article purported to be; for the further reason that valuable constituents of the article had been in part abstracted from the article, and that the article was an article of food, and that a certain substance, to wit, water, had been mixed and packed with the said article so as to reduce and lower and injuriously affect its quality and strength.

On December 24, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

**7920. Misbranding of Compound Extract of Cubebs and Cu-Co-Ba "Tarrant." U. S. \* \* \* v. 9 Dozen Packages of Compound Extract of Cubebs and Cu-Co-Ba "Tarrant," U. S. \* \* \* v. 1 Dozen Packages of Compound Extract of Cubebs, and U. S. \* \* \* v. 44 Packages of Cu-Co-Ba "Tarrant." Consent decree of condemnation and forfeiture as to the 9 dozen packages of Compound Extract of Cubebs and Cu-Co-Ba "Tarrant." Product ordered released on bond. Default decree of condemnation, forfeiture, and destruction as to the product in the other two cases. (E. & D. Nos. 10650, 10651, 10652. I. S. Nos. 7579-r, 7580-r, 7581-r, 7582-r. S. Nos. C-1311, C-1312, C-1314.)**

On June 25, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 9 dozen packages, more or less, of Compound Extract of Cubebs and Cu-Co-Ba "Tarrant," 1 dozen packages of Compound Extract of Cubebs, and 44 packages of Cu-Co-Ba "Tarrant," remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the articles had been shipped on May 1, 1919, March 29, 1919, and May 10, 1919, respectively, by the Tarrant Co., New York, N. Y., and transported from the State of New York into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the Compound Extract of Cubebs by the Bureau of Chemistry of this department showed that it consisted of a plastic mass containing the extractives of copaiba and cubebs. Analysis of a sample of the Cu-Co-Ba "Tarrant" by the said bureau showed that it consisted essentially of copaiba balsam, oil of cubebs, and magnesium oxid.

It was alleged in substance in the libels that the Compound Extract of Cubebs was misbranded for the reason that certain statements regarding the curative and therapeutic effect thereof, appearing on the cartons, bottle labels, and circulars enclosed in said cartons, falsely and fraudulently represented it to be effective as a remedy for gonorrhœa, gleet, simple whites or leucorrhœa, in those disorders of the kidneys, bladder, prostate, vagina and urethra in which these drugs have proved their usefulness, in the treatment of other mucous discharges as chronic catarrh with profuse secretion, for cystitis, etc., in diseases of the mucous membranes, particularly those of the chronic character as irritation of the bladder, gonorrhœal urethritis of both male and female, specific urethritis, gonorrhœa of subacute or chronic type, vaginal gonorrhœa, subacute and chronic pyelitis and in inflammation of the bladder and urethra, whereas, in truth and in fact, it was not.

It was alleged in substance in the libels that the Cu-Co-Ba "Tarrant" was misbranded for the reason that certain statements regarding the curative and therapeutic effect thereof, appearing on the cartons, bottle labels, and circulars enclosed in said cartons, falsely and fraudulently represented it to be effective to reduce excessive and annoying discharges, in inflammations and irritations of the bladder, kidneys, prostate, urethra, and vagina, gleet, gonorrhœa and leucorrhœa, as a treatment of chronic bronchitis, inflammation of the bladder, prostatic abscess, in inflammatory conditions of the bladder and kidneys, vaginal gonorrhœa, for chronic catarrhal condition known as leucorrhœa or whites, and in the contagious disorder known as gonorrhœa or clap, whereas, in truth and in fact, it was not.

On April 27, 1920, no claimant having appeared for the property in the case of the United States v. 1 Dozen Packages of Compound Extract of Cubebs and in the United States v. 44 Packages of Cu-Co-Ba "Tarrant," judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

On March 31, 1920, the Tarrant Co., claimant of the goods in the case of the United States v. 9 Dozen Packages, More or Less, of Compound Extract of Cubebs

and Cu-Co-Ba "Tarrant," having admitted the material allegations contained in the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon payment of all costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the product be relabeled in the manner provided in said decree.

E. D. BALL, *Acting Secretary of Agriculture.*

**7921. Misbranding of Creole Female Tonic, Pa-Nol, and Royaline Oil. U. S. \* \* \* v. The Parker-Blake Co., a Corporation. Plea of guilty. Fine, \$100.** (F. & D. No. 9956, 1. S. Nos. 6106-r, 6107-r, 6108-r.)

On November 19, 1919, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Parker-Blake Co., a corporation, New Orleans, La., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on January 21, 1918, from the State of Louisiana into the State of Mississippi, of quantities of articles, labeled in part "Creole Female Tonic" and "Royaline Oil," and on or about March 8, 1918, from the State of Louisiana into the State of Mississippi, of a quantity of an article labeled in part "Pa-Nol," each of which was misbranded.

Analysis of a sample of the Creole Female Tonic by the Bureau of Chemistry of this department showed that it contained iron, probably as citro-chlorid, resins, gums, saponin, tannin, and alkaloids, indicating viburnum, cypripedium, cinnamon, and possibly caulophyllum, sugar, alcohol, and water.

It was alleged in substance in the information that this article was misbranded for the reason that certain statements, appearing on the label of the bottles and cartons, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for all female complaints, prolapsus uteri or falling of the womb, leucorrhœa or whites, irregular and painful menstruation, hysterics, palpitation of the heart, swimming and giddiness of the head, inflammation and ulceration of the womb, flooding, and all diseases and weaknesses and irregularities of women, whereas, in truth and in fact, it was not. Misbranding was alleged in substance for the further reason that certain statements in the booklet which accompanied the article falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for weaknesses and disorders of the reproductive organs, to prevent women from becoming weakly invalids, unfitted for capable motherhood, and as a treatment, remedy, and cure for St. Vitus' dance, nervous disorders, despondency, headaches, weak back, pains in the sides and lower part of the body, morning nausea, irritation of the nerves and insanity, and to almost entirely banish the pangs of maternity, and to insure a thoroughly healthy child, when, in truth and in fact, it was not.

Analysis of a sample of the Pa-Nol by the said bureau showed that it consisted essentially of sulphuric acid and water, with a small amount of a volatile sulphur compound.

It was alleged in substance in the information that this article was misbranded for the reason that certain statements, appearing on the labels of the bottles and cartons, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for indigestion, dyspepsia, kidney and bladder trouble, female complaints, rheumatism, blood diseases, malarial poisoning, to make food digest, build up the strength, make healthy nerves, destroy disease germs, to purify the blood, to quickly stop fermentation caused by undigested food, invigorate the nervous system, and help to induce natural, restful



sleep, as a treatment of value in cases of teething, and as a treatment, remedy, and cure for summer complaint, when, in truth and in fact, it was not. It was alleged in substance that the article was misbranded for the further reason that certain statements, included in the circulars accompanying the said article, falsely and fraudulently represented it to be effective as a preventive against serious sickness, and as a treatment, remedy, and cure for stomach trouble, female weakness, ulceration of the bowels, St. Vitus' dance, suppressed menstruation, irritation and inflammation of the bladder, urethra or prostate gland, catarrh, chicken pox, cholera morbus, diarrhoea, dysentery, epilepsy, erysipelas, flux, gonorrhoea, grippe, severe colds that threaten pneumonia, hives, nervous and sick headache, humors in the blood, insomnia, leucorrhoea, measles, painful, suppressed, profuse, or scanty menstruation, mumps, nervous troubles, neuralgia, roseola, sore eyes, granulated lids, womb troubles, inflammation, ulceration, and falling of the womb, when, in truth and in fact, it was not.

Analysis of a sample of the Royaline Oil by said bureau showed that it consisted essentially of camphor, sassafras, menthol, capsicum, cloves, boric acid, morphine, probably derived from tincture of opium, chloroform, alcohol, and water.

It was alleged in substance in the information that this article was misbranded for the reason that certain statements, appearing on the labels of the bottles and cartons, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for burns, sore throat, sore eyes, and colic, when, in truth and in fact, it was not. It was alleged in substance that the article was misbranded for the further reason that certain statements, appearing in the circulars accompanying the said article, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for scalds, sore mouth, internal and external inflammation, earache, flux or dysentery, diphtheria, piles, rheumatism, colic and thumps and foot evil in stock, when, in truth and in fact, it was not.

On November 19, 1919, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

E. D. BALL, *Acting Secretary of Agriculture.*

**7922. Adulteration and misbranding of olive oil. U. S. \* \* \* v. Emilio Di Bianco. Plea of guilty. Fine, \$200. (F. & D. No. 9723. I. S. Nos. 2954-p, 12577-r.)**

On July 18, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Emilio Di Bianco, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on June 1, 1918, from the State of New York into the State of Pennsylvania, of a quantity of so-called olive oil which was adulterated and misbranded, and on June 3, 1918, from the State of New York into the State of Massachusetts, of a quantity of olive oil which was misbranded. The oil shipped to Pennsylvania was labeled in part, "1 Gall. Net," and was invoiced by the shipper as olive oil. The oil shipped to Massachusetts was labeled in part, "1 Gal."

Analysis of a sample of the oil shipped to Pennsylvania by the Bureau of Chemistry of this department showed that it consisted almost entirely of cottonseed oil, and that the contents of the cans were short in volume, the average shortage on 12 cans being 5.07 per cent. Examination of the oil shipped to Massachusetts showed an average shortage on 10 cans of 5.88 per cent.

Adulteration of the oil shipped to Pennsylvania was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for olive oil, which the article purported to be.

Misbranding of this article was alleged for the reason that it was a product composed in part of cottonseed oil prepared in imitation of olive oil, and was offered for sale and sold under the distinctive name of another article, to wit, olive oil. Misbranding of this oil and of the oil shipped to Massachusetts was alleged for the further reason that the statements, to wit, "1 Gall. Net" and "1 Gal.," as the case might be, borne on the cans containing the article, regarding it, were false and misleading in that they represented that each of the cans contained 1 gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said cans contained 1 gallon net of the article, when, in truth and in fact, each of said cans did not contain 1 gallon net of the article, but did contain a less amount; and for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 30, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$200.

E. D. BALL, *Acting Secretary of Agriculture.*

**7923. Misbranding of Salvitae. U. S. \* \* \* v. The American Apothecaries Co. Plea of guilty. Fine, \$200. (F. & D. No. 9788. I. S. No. 17002-r.)**

On July 17, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against The American Apothecaries Co., a corporation, Astoria, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on May 25, 1918, from the State of New York into the Island of Porto Rico, of a quantity of an article, labeled in part "Salvitae," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of citric and tartaric acids with sulphates, carbonates or bicarbonates, and phosphates of magnesium, sodium, potassium, and lithium, and a trace of hexamethylenetetramine.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements, appearing on the labels of the bottles containing the article and on the wrapper around said bottles, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for gout, rheumatism, Bright's disease, Riggs' disease, stomatitis, recession of the gums, urethritis, cystitis, gravel, inflammatory affections of the urinary passages and diseases that are produced by uric acid, inactivity of the kidneys, renal or hepatic calculi or incontinence and gingivitis, as a uric acid solvent, urinary antiseptic and diuretic and intestinal antiseptic, to fortify the system against the millions of dangerous microbes, and to restore lost health and preserve one from disease, when, in truth and in fact, it was not.

On November 12, 1919, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$200.

E. D. BALL, *Acting Secretary of Agriculture.*

**7924. Misbranding of Her-Vo. U. S. \* \* \* v. 38 Bottles of Her-Vo. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11115. I. S. No. 15088-r. S. No. E-1677.)**

On August 25, 1919, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 38 bottles of Her-Vo, at Easton, Pa., consigned by the Her-Vo Mfg. Co. (Inc.), Camden, N. J., alleging that the article had been shipped on or about May 28 and 29, 1919, and transported from the State of New Jersey into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of cinchona alkaloids, strychnine, a laxative plant extract, essential oils including cinnamon, alcohol, and water.

Misbranding of the article was alleged in that the statements, designs, and devices regarding the curative and therapeutic effects of the article and the ingredients and substances contained therein, to wit, (bottle) "An Excellent General and Re-constructive Tonic of Broad Application \* \* \* Recommended and especially designed by the manufacturers For \* \* \* Loss of Strength. \* \* \* Malarial Conditions, Stomach, Liver and Bowel Disorders, Rheumatism, and General Debility. Valuable in Anemia \* \* \* Sickness, Nervous Diseases, and Sexual Excess and Weakness. For Building up the System after Heavy Colds, Fevers, Pregnancy, Nursing, Female Weakness, Change of Life, Nervous Prostration, Suppressed Menses, and for the Debility of Childhood and Old Age \* \* \*," (circular) " \* \* \* What is Her-Vo? It is just as is claimed, a General Tonic and a Reconstructive Tonic of broad utility and application. It is a General Tonic because it tends to tone, strengthen and return all the organs, tissues, muscles and nerves to their full, vigorous health and full normal condition, so far as this is at all possible. By 'so far as this is at all possible' we mean we cannot do much for a tubercular, for instance, whose one or both lungs are practically 'gone.' But even then it is a palliative and will do much toward alleviation, relief and perhaps prolonging life \* \* \* it also tends to rebuild worn-out tissue, eliminates poisonous waste materials stored up in the system \* \* \* actually promoting constructive metamorphosis \* \* \* What Her-Vo is Recommended For Asthma Bladder Trouble Bile (Inactive) Blood Purifier Bronchial Trouble Bronchitis Catarrh (Gastric) Chronic Skin Disorders Colds Coughs Constipation (Chronic) Cramps Cystitis Digestive Derangements Dyspepsia Flesh (Flabby) Gall Bladder (Inactive) Gastric Catarrh Glandular Swellings Headaches (Frontal and Gastric) Heart Palpitation Hysteria Indigestion Intestinal Trouble Irritable Bladder Jaundice Kidney Disorders (Minor) Laryngitis Liver Torpor Malaria Nervous Irritability Night Sweats (Phthisis) Palpitation of the Heart Phthisis (Hectic of) Rheumatism (Most Forms) Scrofula Syphilis Skin Diseases Vomiting of Pregnancy \* \* \*," were false and fraudulent in that the said article would not produce the curative or therapeutic effects which purchasers are led to expect by the above statements, designs, and devices, and that the above statements, designs, and devices were applied to the article with a knowledge of their falsity for the purpose of defrauding purchasers thereof.

On September 15, 1919, no claimant having appeared, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*



**7925. Adulteration and misbranding of Hostelley's Syrup Hydriodic Acid. U. S. \* \* \* v. William H. Hostelley (W. H. Hostelley & Co.). Plea of guilty. Fine, \$50. (F. & D. No. 10285. I. S. No. 3826-p.)**

On August 18, 1919, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William H. Hostelley, trading as W. H. Hostelley & Co., at Collingdale, Pa., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about May 11, 1918, from the State of Pennsylvania into the State of Maryland, of a quantity of an article, labeled in part "Hostelley's Syrup Hydriodic Acid," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 0.66 per cent by weight of hydriodic acid, 0.81 gram in 100 cc., a shortage from the minimum United States Pharmacopœial requirement of 37.7 per cent and from the declared amount of 34 per cent.

Adulteration of the article was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as prescribed by the tests laid down in said Pharmacopœia, official at the time of investigation of said article, in that the article contained in 100 mils. 0.81 gram of hydriodic acid, whereas said Pharmacopœia provides that sirup of hydriodic acid shall contain in 100 mils. not less than 1.3 grams of hydriodic acid, and the standard of strength, quality, and purity of the article was not declared on the container thereof; and for the further reason that the strength and purity of the article fell below the professed standard and quality under which it was sold, in that it was sold as a product which contained 1 per cent absolute HI, to wit, 1 per cent hydriodic acid, whereas, in truth and in fact, it was a product which contained less than 1 per cent hydriodic acid, to wit, 0.66 per cent hydriodic acid.

Misbranding was alleged for the reason that the statement "One per cent absolute HI," borne on the labels attached to the bottles containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained 1 per cent HI, to wit, 1 per cent hydriodic acid, whereas, in truth and in fact, said article did not contain 1 per cent hydriodic acid, but did contain a less amount, to wit, 0.66 per cent hydriodic acid. It was alleged, in substance, that the article was misbranded for the further reason that certain statements appearing on the labels of the bottles containing the same falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for glandular enlargements, cirrhosis of the liver, catarrhal gastritis, malarial poisoning, acute rheumatism, and pulmonary difficulties, when, in truth and in fact, it was not.

On September 8, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*

**7926. Misbranding of sweetened condensed milk and adulteration and misbranding of evaporated cream. U. S. \* \* \* v. Nestlé's Food Co., a Corporation. Plea of guilty. Fine, \$25. (F. & D. No. 9599. I. S. Nos. 6448-p, 6453-p.)**

On July 17, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Nestlé's Food Co., a corporation, New York, N. Y., alleging shipment by said

company, in violation of the Food and Drugs Act, as amended, on December 29, 1917, and March 23, 1918, from the State of New York into the Territory of Porto Rico, of quantities of articles, labeled in part, respectively, "Preserved Milk \* \* \* Sweetened Condensed Milk \* \* \* Milkmaid Brand \* \* \* Trade Mark In U. S. A. Anglo-Swiss Condensed Milk Co., Cham, Switzerland; and London. Net weight 14½ Ozs." and "Milkmaid Brand (picture of milkmaid) Evaporated Cream Trade Mark Anglo-Swiss Condensed Milk Co. Cham, Switzerland & London. 'Milkmaid' Brand Evaporated Cream," the former of which was misbranded and the latter adulterated and misbranded.

Examination of a sample of the condensed milk by the Bureau of Chemistry of this department showed an average shortage of 1.8 per cent in the contents of the 12 cans examined.

Examination of a sample of the evaporated cream by said bureau showed the following results:

	Per cent.
Solids-----	25.47
Fat-----	7.65
No declaration of contents was given.	

Misbranding of the milk was alleged in the information for the reason that the statements, to wit, "Condensed Milk \* \* \* Anglo-Swiss Condensed Milk Co., Cham, Switzerland \* \* \*" and "Net Weight 14½ Ozs.," borne on the labels attached to the cans containing the article, regarding it, were false and misleading in that they represented that the article was a foreign product, to wit, a condensed milk produced in the Swiss Confederation, and that each of said cans contained 14½ ounces of the article by weight, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was a foreign product, and that each of said cans contained 14½ ounces by weight, whereas, in truth and in fact, it was not a foreign product, to wit, a condensed milk produced in the Swiss Confederation, but was a domestic product, to wit, a product produced in the United States of America, and that each of said cans did not contain 14½ ounces by weight, but did contain a less amount; for the further reason that said article by its label aforesaid purported to be a foreign product, when not so; and for the further reason that said article was falsely branded as to the country in which it was manufactured and produced in that it was a product manufactured in whole or in part in the United States of America and was branded as manufactured and produced in the Swiss Confederation.

Adulteration of the evaporated cream was alleged for the reason that a substance, to wit, a partially evaporated milk, had been substituted in whole or in part for evaporated cream, which the article purported to be.

Misbranding of this article was alleged for the reason that the statements, to wit, "Evaporated Cream \* \* \* Anglo-Swiss Condensed Milk Co., Cham, Switzerland," borne on the labels attached to the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was evaporated cream, and that it was a foreign product, to wit, evaporated cream produced in the Swiss Confederation, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was evaporated cream, and that it was a foreign product, to wit, an evaporated cream produced in the Swiss Confederation, whereas, in truth and in fact, it was not an evaporated cream, but was a mixture composed of partially evaporated milk, and it was not a foreign product, to wit, an evaporated cream produced in the Swiss Confederation, but was a domestic product, to wit, an

article produced in the United States of America; for the further reason that it was a mixture composed of partially evaporated milk prepared in imitation of evaporated cream and was offered for sale and sold under the distinctive name of another article, to wit, evaporated cream; for the further reason that the article by its label aforesaid purported to be a foreign product, when not so; and for the further reason that the article was falsely branded as to the country in which it was manufactured and produced in that it was a product manufactured and produced in whole or in part in the United States of America and was branded as manufactured and produced in the Swiss Confederation. Misbranding of both the articles was alleged for the further reason that they were food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 30, 1919, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture*.

**7927. Adulteration and misbranding of olive oil. U. S. \* \* \* v. Cosimo Geraci and Gabriele Perillo (Economical Commercial Co.). Pleas of guilty. Fine, \$20. (F. & D. No. 9588. T. S. No. 14814-r.)**

On April 29, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Cosimo Geraci and Gabriele Perillo, trading as the Economical Commercial Co. New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on July 17, 1918, from the State of New York into the State of Pennsylvania, of a quantity of an article purporting to be olive oil which was adulterated and misbranded. The article was labeled in part, "Qualita Superiore" (map of Italy, Sicily, and Tripoli \* \* \* the Italian flag and figure of woman with three-towered crown) "Olio Menorah Oil Puro Garantito  $\frac{1}{4}$  Gallon Net Sorto Qualsiasi Analisi Chimica."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted almost wholly of peanut oil which had been flavored with olive oil.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, peanut oil, artificially flavored, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted for olive oil, which the article purported to be. There was also an average shortage in volume of 10 per cent on 3 cans.

Misbranding was alleged for the reason that the statements, to wit, "Qualita Superiore \* \* \*," "Olio Puro, \* \* \*," and " $\frac{1}{4}$  Gallon Net," together with certain designs and devices of the map of Italy and Italian flag, not corrected by the statement in inconspicuous type, "Menorah Oil," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was olive oil, that it was a foreign product, to wit, olive oil produced in the kingdom of Italy, and that each of the said cans contained  $\frac{1}{4}$  gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that said article was olive oil, that it was a foreign product, to wit, an olive oil produced in the kingdom of Italy, and that each of the said cans contained  $\frac{1}{4}$  gallon net of the article, whereas, in truth and in fact, said article was not olive oil, but was a mixture composed in part of peanut oil, artificially flavored; it was not a foreign product, to wit, an olive oil produced in the kingdom of



Italy, but was a domestic product, to wit, a product produced in the United States of America, and each of said cans did not contain  $\frac{1}{4}$  gallon net of the article, but did contain a less amount; for the further reason that the statements on the labels aforesaid purported that said article was a foreign product, when not so; and for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 12, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$20.

E. D. BALL, *Acting Secretary of Agriculture.*

**7928. Misbranding of olive oil. U. S. \* \* \* v. Grecian Importing & Trading Co., a Corporation. Plea of guilty. Fine, \$200. (F. & D. No. 9968. I. S. No. 12551-r.)**

On July 18, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Grecian Importing & Trading Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on November 14, 1918, from the State of New York into the State of New Hampshire, of a quantity of olive oil which was misbranded. The article was labeled in part, "Imported Pure Olive Oil \* \* \* Olympia Brand \* \* \* Grecian Importing & Trading Co., Inc., Importers and Packers \* \* \* Net Contents One Quart."

Examination of a sample by the Bureau of Chemistry of this department showed an average shortage in the contents of the cans containing the product of 1.3 fluid ounces, or 4 per cent.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Net Contents One Quart," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the cans contained 1 quart of the article; for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that said cans contained 1 quart of the article, whereas, in truth and in fact, they did not contain 1 quart of the article, but did contain a less amount; and for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 30, 1919, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$200.

E. D. BALL, *Acting Secretary of Agriculture.*

**7929. Adulteration of ground gelatin. U. S. \* \* \* v. Thomas B. Kane (Detroit Gelatine Co.). Plea of guilty. Defendant released upon payment of costs. (F. & D. No. 9509. I. S. Nos. 9002-p, 15827-p, 15828-p, 15829-p.)**

On September 23, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Thomas B. Kane, trading as the Detroit Gelatine Co., Chicago, Ill., alleging the sale by said defendant, on or about January 18, 1917, and April 24, 1917, under guaranties that the article was not adulterated or misbranded within the meaning of the Food and Drugs Act, of quantities of ground gelatin, which was an adulterated article within the meaning of said act, and which

said article, in the identical condition in which it had been received, was shipped by the purchaser thereof, on January 19 and January 23, 1917, from the State of Illinois into the State of Wisconsin, and on June 23, 1917, from the State of Illinois into the State of Iowa, in further violation of said act.

Analyses of samples of the article from the two invoices sold on January 18, 1917, showed that it consisted essentially of glue containing mercury and excessive copper and zinc. Analysis of samples of the article from the invoice sold on April 24, 1917, showed that it was glue, and contained excessive copper and zinc.

Adulteration of the gelatin sold on January 18, 1917, was alleged in substance in the information for the reason that a certain substance, to wit, glue, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and had been substituted in part for gelatin, which the article purported to be, and for the further reason that it contained added poisonous and deleterious substances, to wit, copper, mercury, and zinc, which might render it injurious to health.

Adulteration of the gelatin sold on April 24, 1917, was alleged in substance for the reason that a certain substance, to wit, glue, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and had been substituted in part for gelatin, which the article purported to be, and for the further reason that it contained added poisonous and deleterious substances, to wit, copper and zinc, which might render it injurious to health.

On March 23, 1920, the defendant entered a plea of guilty to the information, and was released by the court upon payment of the costs of the proceedings.

E. D. BALL, *Acting Secretary of Agriculture.*

**7930. Misbranding of Bokert Water. U. S. \* \* \* v. Bokert Springs Mineral Water Co., a Corporation. Plea of nolo contendere as to first count. Second count dismissed. Fine, \$50 and costs. (F. & D. No. 9430. I. S. No. 11127-m.)**

On January 14, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Bokert Springs Mineral Water Co., a corporation, De Soto, Mo., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about April 28, 1917, from the State of Missouri into the State of Illinois, of a quantity of an article, labeled in part "Bokert Water Natural Mineral Spring Water. For table and medicinal use. Bokert Springs Mineral Water Company, De Soto, Mo., U. S. A.," which was misbranded.

Misbranding of the article in the first count was alleged in the information in that the statements, designs, and devices regarding the therapeutic and curative effects of the article, appearing on the labels of the bottles containing the article, to wit, " \* \* \* it possesses great therapeutic value and is a wonderful agent in the Elimination of Urinary Deposits, diseases of the Kidneys, Liver, Stomach, Bladder and the Blood. It is of inestimable assistance in the digestion and assimilation of food and therefore invaluable for its tonic effects," were false and fraudulent in that the statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers of the article and to create in the minds of purchasers of the article the impression and belief that the article was composed of, or contained, ingredients or medicinal agents effective as a remedy, treatment, and cure for the elimination of urinary deposits, diseases of the kidneys, liver, stomach, bladder, and the blood, and was effective

as an inestimable assistance in the digestion and assimilation of food, and therefore invaluable for its tonic effects, whereas the article contained no ingredients or medicinal agents which would be effective in accomplishing the results claimed in the above statements. Misbranding in the second count was further alleged in that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 29, 1920, the second count of the information was dismissed. The defendant pleaded *nolo contendere* to the first count, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**7934. Misbranding of Robinson's Alfalfa-Nutrient and Robinson's Alfalfa Blossom. U. S. \* \* \* v. Gus Brown Fredericks and Peter R. Lunkes (Alfalfa Chemical Co.). Defendant Fredericks dismissed. Plea of guilty by Peter R. Lunkes. Fine, \$25 and costs. (F. & D. No. 9502. I. S. Nos. 16064-p, 16065-p.)**

On March 20, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Gus Brown Fredericks and Peter R. Lunkes, copartners, trading as the Alfalfa Chemical Co., Chicago, Ill., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about March 23, 1918, and on or about April 8, 1918, from the State of Illinois into the State of Oregon, of quantities of articles, labeled in part "Robinson's Alfalfa-Nutrient The New Scientific Discovery Makes Thin People Plump" and "Robinson's Alfalfa Blossom The New Scientific Treatment For all Women's Ailments Absorption Anti-surgery," which were misbranded.

Analysis of samples of the articles by the Bureau of Chemistry of this department showed that Robinson's Alfalfa-Nutrient consisted of a pink, sweetened, chalk-coated pellet containing glycyrrhiza, plant extractives, including a laxative plant drug, calcium glycono-phosphate and a cinchona alkaloid, and that Robinson's Alfalfa Blossom consisted of suppositories having a cacao butter base and containing boric acid, zinc sulphocarbolate, eucalyptol, and a cinchona alkaloid.

Misbranding of Robinson's Alfalfa-Nutrient was alleged in the information in that the statements regarding the therapeutic or curative effects of the article, appearing on the box containing the article, to wit, "Robinson's Alfalfa Nutrient \* \* \* For general debility \* \* \* For nervous disorders \* \* \* Purifies and enriches the blood \* \* \* Never fails to \* \* \* restore health, strength and vital energy," were false and fraudulent in that the same were applied to the article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers of the article and to create in the minds of purchasers of the article the impression and belief that the article contained ingredients or medicinal agents effective as a treatment, remedy, and cure for general debility, for nervous disorders, that it purified and enriched the blood and that it never failed to restore health, strength, and vital energy, whereas the article contained no ingredients or medicinal agents which would be effective in accomplishing the results claimed in the above statements.

Misbranding of Robinson's Alfalfa Blossom was alleged in the information in that the statements appearing on the box containing the article, regarding the therapeutic or curative effects of the article, to wit, "Robinson's Alfalfa Blossom is a positive guaranteed Specific for all female diseases \* \* \* Is



a positive guaranteed Specific for \* \* \* Inflammation, Ulceration or Congestion of the Womb, Leucorrhea, Suppressed, Profuse or Painful Menstruation, Prolapsus (Falling of the Womb), \* \* \* Fibroid Tumors, and all Uterine diseases. \* \* \* Is a positive guaranteed Specific for \* \* \* any Displacements, Inflammation and Congestion of the Ovaries, Ovarian \* \* \* Tumors \* \* \*," were false and fraudulent in that the same were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers of the article and to create in the minds of the purchasers of the article the impression and belief that the article contained ingredients or medicinal agents effective as a treatment, remedy, cure, or specific for all female diseases, for inflammation, ulceration, or congestion of the womb, leucorrhœa, suppressed, profuse, or painful menstruation, prolapsus (falling of the womb), fibroid tumors, and all uterine diseases, and was a positive guaranteed specific for any displacements, inflammation, and congestion of the ovaries, ovarian tumors, whereas the article contained no ingredients or medicinal agents which would be effective in accomplishing the results claimed in the above statements.

On March 23, 1920, the case was dismissed as to the defendant Fredericks, and, upon a plea of guilty by the defendant Peter R. Lunkes, the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**7932. Misbranding of Morley's Wonderful Eight. U. S. \* \* \* v. Morley Medicine Co., a Corporation. Plea of guilty. Fine, \$25 and costs.**  
(F. & D. No. 9506. I. S. No. 11991-m.)

On December 3, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Morley Medicine Co., a corporation, doing business at St. Louis, Mo., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on February 24, 1917, from the State of Missouri into the State of Tennessee, of a quantity of an article, labeled in part, "Morley's Wonderful 8 Eight Alcohol 60% For Internal and External Pains, Colic, Cramps, Neuralgia, Rheumatism, Inflammations, Congestions, Headache, Earache, Bruises, Cuts, Sprains, Coughs, Colds, Sore-Throat, Many Chest and Lung Diseases. Family Pain Killer and Ready Relief Price 25 Cents. Morley Medicine Co. Proprietors, St. Louis, Mo.," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry, of this department, showed that the preparation consisted essentially of an alcoholic solution containing soap, camphor, oil of turpentine, oil of sassafras, and ammonia.

Misbranding of the article was alleged in the information in that the statements on the carton containing the article, regarding the therapeutic and curative effects of the article, to wit, "Morley's Wonderful 8 Eight Alcohol 60% for Internal and External Pains, Colic, Cramps, Neuralgia, Rheumatism, Inflammations, Congestions, Headache, Earache, Bruises, Cuts, Sprains, Coughs, Colds, Sore-Throat, Many Chest and Lung Diseases. Family Pain Killer and Ready Relief Price 25 Cents. Morley Medicine Co. Proprietors, St. Louis, Mo.," were false and fraudulent in that the statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof and to create in the minds of purchasers thereof the impression and belief that the article was composed of, or contained, ingredients or medicinal agents effective as a remedy, treatment, and cure for colic, sore throat, and many chest and lung diseases, when, in truth, it was not. Further misbranding was al-

leged in that the statements, in foreign languages and in English, in the circular accompanying the article, regarding the therapeutic and curative effects of the article, in part, to wit, "Morley's Wonderful 8 Eight for Internal and External Use Pain Killer and Quick Relief Externally:—For the Relief and Treatment of Muscular Rheumatism, Sciatica, Neuralgia, Headache, Sprains, Sore Joints, Toothache, Earache, Backache, Influenza and Pleurisy. Internally:—For Colic, Cholera Morbus, Cramps, Diarrhœa, Indigestion, Heartburn and Acid Stomach. \* \* \* For Coughs, Colds, Croup, LaGrippe and Influenza \* \* \* For Cuts, Wounds, Ulcers and Fever Sores \* \* \* For Sciatica, Pleurisy, Pain in the Side, Back and Chest, Enlargement of the Spleen \* \* \* Ague, scarlatina, typhoid and yellow fever \* \* \* Kidney diseases, as well as all diseases of the urinary organs, including gonorrhœa \* \* \* Poisonous stings and bites of insects, snakes and dogs, wounds made by rusty iron \* \* \* Burns, scalds, eruptions, \* \* \* contusions, sprains, pains, swollen or enlarged breasts, sore nipples, swellings or tumors \* \* \* Hemorrhoids \* \* \* Horses and Cattle:—For Black leg, colic, cramps, intestinal worms, cholera of hogs and dogs, kidney worms, coughs, colds, epizootic, epidemic maladies and other internal affections \* \* \* For lame animals, swellings, sprains, stiffness, excoriations, corns, poll-evil, fistula, spavin, all internal diseases, ringbone when it first develops, kidney worms, horse worms, splints, rinder-pest, worms, glanders, hog cholera, fowl cholera, bladder worms, mange, worm colic, dog cholera, \* \* \*," were false and fraudulent in that they were applied knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to purchasers of the article and to create in minds of purchasers of the article the impression and belief that the article was composed of, or contained, ingredients or medicinal agents effective, among other things, to stop instantly every internal and external pain, and effective as a remedy, treatment, and cure for colic, cramps, neuralgia, rheumatism, inflammations, congestions, earache, sprains, colds, coughs, sore throat, and many chest and lung diseases, pain in the side, back, or chest, ulcers, dysentery, diarrhœa, dyspepsia, indigestion, heartburn, acid or sour stomach, pleurisy, sciatica, cholera morbus, muscular rheumatism, influenza or la grippe, swellings or tumors, old sores, nervous or malarial ailments or diseases, and all skin diseases, tetter, eruptions, pimples, herpes, impetigo, bloody flux, convulsions, enlargement of the spleen, ague, fever, intermittent fever, yellow fever, scarlet fever or scarlatina, typhus fever, typhoid fever, kidney diseases, diseases of the urinary organs, including gonorrhœa, poisonous bites or stings of insects, snakes and dogs, asthma and bronchitis, quinsy, croup, burns, scalds, sore nipples, hardening of the breasts, swollen or enlarged breasts, tumors of the breast, hemorrhoids, purulent wounds, eczema, and effective as a nerve medicine and general tonic, and effective as a prophylactic against contagion, and effective as a disinfectant, and effective as a treatment, remedy, and cure for colic, fistula, spavin, all internal diseases, ringbone when it first develops, kidney-worms, horse-worms, splints, rinder-pest, worms, glanders, hog cholera, bladder worms, mange, worm colic, blackleg, intestinal worms, dog cholera, epizootic, epidemic maladies, poll-evil and garget, when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, to stop instantly every internal and external pain, and would not be effective as a remedy, treatment, or cure for the various diseases, afflictions, and conditions above mentioned.

On April 27, 1920, the Morley Medicine Co., a corporation, entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**7933. Misbranding of olive oil. U. S. \* \* \* v. Norman J. Gerber and Jay J. Gerber, Copartners (R. Gerber & Co.). Plea of guilty. Fine, \$20 and costs. (F. & D. No. 9488. I. S. No. 12131-p.)**

On March 20, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Norman J. Gerber and Jay J. Gerber, trading and doing business as R. Gerber & Co., Chicago, Ill., alleging shipment by said defendants, in violation of the Food and Drugs Act, on March 20, 1918, from the State of Illinois into the State of Missouri, of a quantity of an article, labeled in part "Ottimo Brand Virgin Oil R. Gerber & Co., Chicago, Ill., contents  $\frac{1}{4}$  Gal. Net," which was misbranded.

Examination of samples of the article by the Bureau of Chemistry of this department showed that the cans were short volume.

Misbranding of the article was alleged in the information in that the statement borne on the cans containing the article, regarding it, to wit, "Contents  $\frac{1}{4}$  Gal. Net," was false and misleading in that it represented that each can contained  $\frac{1}{4}$  gallon net of the article, whereas it contained a less amount; further misbranding was alleged in that the article was labeled as above so as to deceive and mislead the purchaser into the belief that each can contained  $\frac{1}{4}$  gallon net of the article, whereas it contained a less amount; further misbranding was alleged in that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On March 23, 1920, Norman J. Gerber and Jay J. Gerber entered pleas of guilty to the information, and the court imposed a fine of \$20 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**7934. Misbranding of meat scraps for poultry. U. S. \* \* \* v. The Hine Brothers Co., a Corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 8557. I. S. No. 20885-m.)**

On January 10, 1918, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against The Hine Brothers Co., a corporation, Chicago, Ill., alleging shipment by the defendant, in violation of the Food and Drugs Act, on January 12, 1917, from the State of Illinois into the State of Wisconsin, of an article of food, labeled in part "Meat Scraps for Poultry," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following result:

Protein (N x 6.25) (per cent)----- 42.4

Misbranding of the article was alleged in that the statement on the sacks regarding the article and the ingredients and substances contained in the article, to wit, "Guaranteed Analysis: Protein 50 to 55," was false and misleading in that it represented that the article contained not less than 50 per cent of protein, whereas it contained less than 50 per cent, to wit, 42.4 per cent. Further misbranding was alleged in that the article was labeled as above so as to deceive and mislead the purchaser into the belief that the article contained not less than 50 per cent of protein, whereas it contained less than 50 per cent, to wit, 42.4 per cent.

On March 23, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*



**7935. Misbranding of Crystos. U. S. \* \* \* v. H. S. Peterson & Co., a Corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 8887. I. S. No. 12243-m.)**

On May 29, 1918, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against H. S. Peterson & Co., a corporation, Chicago, Ill., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about June 13, 1917, from the State of Illinois into the State of Missouri, of a quantity of an article, labeled in part "Use Crystos for Making Eye Remedy Recommended for Sore Eyes," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a mixture of boric acid, borax, and sodium chlorid, with a trace of perfume.

Misbranding of the article was alleged in the information in that the statement regarding the therapeutic or curative effects of the article, appearing on the labels on the boxes containing the article, to wit, "Eye Remedy Recommended for Sore Eyes, Granulated Eyelids, Weak Eyes, Inflamed Eyes," was false and fraudulent in that the statement was applied to the article knowingly and in reckless and wanton disregard of its truth or falsity, so as to represent falsely and fraudulently to purchasers of the article and to create in the minds of purchasers of the article the impression and belief that the article was composed of ingredients or medicinal agents effective as a remedy for sore eyes, granulated eyelids, weak eyes, and inflamed eyes, whereas the article contained no ingredients or medicinal agents which would be effective in accomplishing the results claimed in the above statements.

On March 23, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**7936. Adulteration and misbranding of evaporated milk. U. S. \* \* \* v. 100 Cases of Evaporated Milk. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9374. I. S. No. 11923-p. S. No. C-918.)**

On September 27, 1918, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 100 cases of an article purporting to be evaporated milk, at St. Louis, Mo., alleging that the article had been shipped on or about June 8, 1918, by the Aviston Condensed Milk Co., Aviston, Ill., and transported from the State of Illinois into the State of Missouri, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "'Purity' Brand Evaporated Milk" and "Our 'Best' Brand Evaporated Milk, Net Weight 8 Lbs."

Adulteration of the article was alleged in the libel in that a substance, to wit, partially evaporated milk, had been mixed and packed with the article, to wit, evaporated milk, so as to reduce, lower, and injuriously affect its quality and strength, and that the partially evaporated milk had been substituted in part for evaporated milk.

Misbranding of the article was alleged in that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, evaporated milk. Further misbranding was alleged in that the statement on the label on the can containing the article, to wit, "Evaporated Milk," was false and misleading in that it purported to be a product known as evaporated

milk, whereas it was evaporated milk mixed with partially evaporated milk. Further misbranding of the article labeled "Purity Brand Evaporated Milk" was alleged in that the article was food in package form, and the statement of net weight or measure of the contents was not plainly and conspicuously marked thereon. Further misbranding of the article labeled "Our Best Brand Evaporated Milk" was alleged in that the article was food in package form, and was labeled as containing 8 pounds of evaporated milk, whereas the can containing the article did not contain 8 pounds of evaporated milk.

On April 4, 1920, the United Bakers' Supply Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimants upon the payment of the costs of the proceedings and the execution of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7937. Adulteration of tomato pulp. U. S. \* \* \* v. R. E. Roberts Co., a Corporation. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 9809. I. S. No. 1031-p.)**

On May 1, 1920, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against R. E. Roberts Co., a corporation, Baltimore, Md., alleging shipment by the defendant, on or about October 4, 1917, in violation of the Food and Drugs Act, from the State of Maryland into the State of New York, of a quantity of an article, labeled in part "Old Reliable Strained Tomato Trimmings and Tomato Pulp for Soup Packed by Lord-Mott Co., Inc. at Baltimore, Md., U. S. A.," which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product had been manufactured from partially decayed tomatoes.

Adulteration of the article was alleged in the information in that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On May 1, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**7938. Adulteration and misbranding of canned tomatoes. U. S. \* \* \* v. 2,000 Cases of Canned Tomatoes. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. Nos. 11903, 12122. I. S. Nos. 38-r, 39-r. S. Nos. E-1926, E-1928.)**

On January 28, 1920, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 2,000 cases of canned tomatoes, remaining unsold in the original unbroken packages at Jersey City, N. J., alleging that the articles had been shipped on or about November 17 and 29, 1919, by Charles Webster, Sharptown, Md., and transported from the State of Maryland into the State of New Jersey, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Iona Brand Tomatoes."

Adulteration of the articles was alleged in the libel in that water had been mixed and packed with, and substituted wholly or in part for, the articles. Further adulteration of the November 17, 1919, shipment was alleged in that water had been mixed and packed with the article so as to reduce, lower, and injuriously affect the quality and strength of the article.

Misbranding of the article was alleged in that the cans bore statements, designs, and devices regarding the article and the ingredients and substances contained therein, which were false and misleading and deceived and misled the purchaser by representing the product to be canned tomatoes, whereas it contained added water. It was further misbranded in that it was an imitation of, and was offered for sale under the distinctive name of, another article.

On May 18, 1920, Charles Webster, claimant, having consented to a decree in both cases, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon payment of the costs in the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7939. Adulteration of gelatin. U. S. \* \* \* v. Clarkson Glue Co., a Corporation. Plea of guilty. Fine, costs.** (F. & D. No. 9054. I. S. No. 9412-p.)

On March 20, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Clarkson Glue Co., a corporation, Chicago, Ill., alleging shipment by defendant, in violation of the Food and Drugs Act, on or about August 3, 1917, from the State of Illinois into the State of Nebraska, of a quantity of an article which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Total ash (per cent)-----	3.52
Copper (parts per million)-----	71
Arsenic (parts per million)-----	6
Zinc (parts per million)-----	1,237

Jelly strength, overnight in ice box,  $2\frac{1}{2}$  per cent solution: Strong jelly.

Organoleptic examination, appearance, hot  $2\frac{1}{2}$  per cent solution: Turbid.

The product was glue.

Adulteration of the article was alleged in the information in that a substance, to wit, glue, had been mixed and packed with the article so as to lower or reduce and injuriously affect its quality; further adulteration was alleged in that a substance, to wit, glue, had been substituted in part for gelatin, which the article purported to be; further adulteration was alleged in that the article contained added poisonous and deleterious ingredients, to wit, arsenic, copper, and zinc, which might render the article injurious to health.

On March 23, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of the costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**7940. Adulteration of shell eggs. U. S. \* \* \* v. Emil M. Anderson and Oscar E. Anderson (Home Cash Store). Plea of guilty. Fine, \$200.** (F. & D. No. 9729. I. S. No. 5662-r.)

On April 28, 1919, the United States attorney for the District of North Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Emil M. Anderson and Oscar E. Anderson, copartners, trading as the Home Cash Store, Kulm, N. Dak., alleging shipment by said company, in violation of the Food and Drugs



Act, on or about August 20, 1918, from the State of North Dakota into the State of Minnesota, of a quantity of shell eggs which were adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that in 9 half cases of the shipment of 18 cases there were 102 inedible eggs, or 6.3 per cent.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, putrid, and decomposed animal substance.

On September 2, 1919, a plea of guilty to the information was entered on behalf of the defendants, and the court imposed a fine of \$200.

E. D. BALL, *Acting Secretary of Agriculture.*

**7944. Misbranding of barley flour. U. S. \* \* \* v. Central Dakota Mill Co.**  
**Plea of guilty. Fine, \$50. (F. & D. No. 9800. I. S. No. 9621-p.)**

On June 23, 1919, the United States attorney for the District of South Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Central Dakota Mill Co., a corporation, Arlington, S. Dak., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about March 26, 1918, from the State of South Dakota into the State of Missouri, of a quantity of an article, labeled in part "Barley Flour," which was misbranded. The sacks bore no statement of weight, but were invoiced as 140 pounds net.

Examination of 40 bags of the article by the Bureau of Chemistry of this department showed an average shortage per bag of 2.5 pounds, or 1.79 per cent.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 1, 1920, a plea of guilty to the information was entered on behalf of the defendant corporation, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*

**7942. Adulteration and misbranding of Big G. U. S. \* \* \* v. 42 Bottles**  
**\* \* \* Big G. Default decree of condemnation, forfeiture, and**  
**destruction. (F. & D. No. 10418. I. S. No. 7896-r. S. No. C-1242.)**

On May 22, 1919, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 42 bottles, more or less, of Big G, remaining unsold in the original unbroken packages at Indianapolis, Ind., alleging that the article had been shipped on or about December 19, 1917, by the Evans Chemical Co., Cincinnati, Ohio, and transported from the State of Ohio into the State of Indiana, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a dilute aqueous solution of borax and berberine. No hydrastine was present.

Adulteration of the article was alleged in the libel in that its strength and purity fell below the standard and quality under which it was sold.

Misbranding of the article was alleged in substance in the libel in that certain statements in English and foreign languages, on the carton enclosing, in the booklets accompanying, and on the label on the bottle containing the article, regarding its curative or therapeutic effects, to wit, "The Evans Chemical Company Cincinnati Ohio U. S. A. Big G A Nonpoisonous Tonic \* \* A Treatment For Unnatural Discharges of the urinary organs, Catarrh, Hay Fever and

Inflamed, Ulcerated, Itching conditions of the skin and mucous membrane or linings of the Mouth, Nose, Throat, Eye and Ear," "Catarrh Chronic, of the Head \* \* \* Inflammation of the Eye \* \* \* Cystitis Gastritis—Catarrh of the Stomach \* \* \* Haemorrhoids—Piles \* \* \* Hay Fever \* \* \* Throat Troubles \* \* \* Gonorrhoea Gleet \* \* \* Chronic Gonorrhoea \* \* \* Stricture \* \* \* Folliculitis \* \* \* Gonorrhoeal Prostatitis \* \* \* Spermatorrhoea \* \* \* Bubo \* \* \* Gonorrhoeal Cystitis \* \* \* \* \* Leucorrhoea—Whites—Catarrh of the Vagina \* \* \* Gonorrhoea in Women \* \* \* " (equivalent statements in Spanish, French, and German) "Big G A compound of Borated Goldenseal The remedy for Catarrh, Hay Fever, and Inflammations, Irritations or Ulcerations of mucous membranes or Linings of the Nose, Throat, Stomach and Urinary Organs" (same statements in French, Spanish, and German) "A Treatise on Diseases of Mucous Membranes \* \* \* Catarrh \* \* \* Conjunctivitis, \* \* \* Coryza \* \* \* Cystitis \* \* \* Gastritis \* \* \* Haemorrhoids \* \* \* Hay Fever \* \* \* Throat Troubles \* \* \* Gonorrhoea \* \* \* Gleet \* \* \* Folliculitis \* \* \*," and certain other diseases and ailments, were false and misleading in that the above statements were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the results claimed for the article.

On January 2, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7943. Misbranding of Rival Herb Tablets. U. S. \* \* \* v. 486 Packages \* \* \* of Rival Herb Tablets. Consent decree of condemnation and forfeiture. Goods released on bond. (F. & D. No. 10434. I. S. No. 5646-r. S. No. C-1258.)**

On May 27, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 486 packages, more or less, of Rival Herb Tablets, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on March 27, 1919, by James F. Straus, La Crosse, Wis., and transported from the State of Wisconsin into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets were coated and colored with oxid of iron, and consisted essentially of aloes, capsicum, plant extractives including resins, carbonate and sulphate of calcium and magnesium, and sugar.

Misbranding of the article was alleged in the libel in that the statement on the package containing the article, regarding the article, to wit, "Rival Herb Tablets Chocolate Coated," represented that the article was chocolate coated, whereas, in truth and in fact, it was not chocolate coated. Further misbranding was alleged in that the statements on the cartons enclosing, and in the circulars accompanying the article, regarding the curative or therapeutic effects of the article, to wit, "Rival Herb Tablets will cure the following diseases \* \* \*: Dyspepsia \* \* \* Liver and Kidney Disorder, Rheumatism, La Grippe, Stomach Trouble, Female Complaints, Lame Back, Nervous Affection, Sick Headache, Eczema, Catarrh and all Skin and Blood Diseases. \* \* \* A remedy for diseases arising from bad blood, inactive stomach, liver or kidneys. Rival Herb Tablets restores, strengthens, and builds up from the first dose, continuing to cure until perfect health is established. It has no equal for

the cure of all derangements of the Digestive Organs, Torpidity of the Liver, Constipation, Weakened action of the Kidneys or skin, defective and impure blood supply, loss of nervous energy, and all diseases dependent upon malnutrition, deranged secretion and excretion. \* \* \* gout \* \* \* Bright's disease \* \* \* all ailments peculiar to women such as painful, profuse and suppression of the monthly flow, backache, bearing down pains, bloating and spinal tenderness, pains in the groins and abdomen, constipation, congestion and inflammation of the womb and ovaries, etc. \* \* \* will invariably cure the worst cases of these ailments. For painless childbirth and prompt recovery after delivery, it is really a specific. In cases of leucorrhoea or other unnatural vaginal discharges \* \* \* sure to cause a prompt cure," were false and fraudulent in that the above statements were applied to the said article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of such purchasers the impression and belief that the said article was in whole or in part composed of, or contained, ingredients or medicinal agents or compounds of ingredients effective in accomplishing the results claimed in the above statement for the article.

On July 25, 1919, the Ashland Supply House, claimant, having entered an appearance and admitted the material allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the goods be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond, in conformity with section 10 of the act.

E. D. BAIL, *Acting Secretary of Agriculture.*

**7944. Adulteration of raisins. U. S. \* \* \* v. 20 Boxes of Raisins. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10435. I. S. No. 7049-r. S. No. C-1257.)**

On May 26, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 boxes of raisins, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about April 19, 1919, by J. W. Teasdale & Co., of St. Louis, Mo., and transported from the State of Missouri into the State of Indiana, to the Indiana State Prison, Michigan City, Ind., and retransported from the State of Indiana into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that it consisted in whole or in large part of a filthy, decomposed, and putrid vegetable substance.

On April 7, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BAIL, *Acting Secretary of Agriculture.*

**7945. Misbranding of Big G. U. S. \* \* \* v. 78 Bottles of Big G. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10437. I. S. No. 9427-r. S. No. C-1252.)**

On May 26, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 78 bottles of Big G, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about November 25, 1918, by the Evans Chemical Co., Cincinnati, Ohio, and



transported from the State of Ohio into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a dilute aqueous solution of borax and berberine. No hydrastine was present.

Misbranding of the article was alleged in substance in the libel in that certain statements on the carton enclosing, in the booklet and circular accompanying, and on the label on the bottle containing the article, regarding the therapeutic and curative effects of the article, to wit (booklet) "A Treatise on Diseases of Mucous Membranes," (bottle carton) "Big G A compound of Borated Golden-seal. A remedy for catarrh, hay fever, and inflammations," (circular) "Big G A compound of Borated Goldenseal. A remedy for Catarrh, Hay Fever, and Inflammations, Irritations or Ulcerations of mucous membranes or Linings of the Nose, Throat, Stomach and Urinary Organs," (same statement in French, Spanish, and German) (booklet, English) "Catarrh Chronic, of the Head \* \* \* Inflammation of the Eye \* \* \* Cystitis \* \* \* Gastritis—Catarrh of the Stomach \* \* \* Haemorrhoids—Piles \* \* \* Hay Fever \* \* \* Throat Troubles \* \* \* Gonorrhœa \* \* \* Gleet \* \* \* Chronic Gonorrhœa \* \* \* Stricture \* \* \* Folliculitis \* \* \* Gonorrhœal Prostatitis \* \* \* Gonorrhœal Cystitis \* \* \* As a preventative—Inflammation and swelling of a Lymphatic Gland of the Groin \* \* \* Leucorrhœa—Whites—Catarrh of the Vagina \* \* \* Gonorrhœa in Women," and certain other venereal diseases, were false and fraudulent.

On April 8, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7946. Misbranding of Big G. U. S. \* \* \* v. 10 Dozen Bottles of Big G. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10441. I. S. No. 7044-r. S. No. C-1256.)

On May 26, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 dozen bottles of Big G, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about November 29, 1918, by the Evans Chemical Co., Cincinnati, Ohio, and transported from the State of Ohio into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of an aqueous solution of borax and berberine. No hydrastine was present.

Misbranding of the article was alleged in substance in the libel in that certain statements on the carton enclosing, in the booklet and circular accompanying, and on the label on the bottle containing the article, regarding the therapeutic and curative effects of the article, to wit, (booklet) "A Treatise on Diseases of Mucous Membranes," (bottle carton) "Big G A compound of Borated Golden-seal. A remedy for catarrh, hay fever, and inflammations," (circular) "Big G A compound of Borated Goldenseal. A remedy for Catarrh, Hay Fever, and Inflammations, Irritations or Ulcerations of mucous membranes or Linings of the Nose, Throat, Stomach and Urinary Organs," (same statement in French, Spanish, and German), (booklet, English) "Catarrh Chronic, of the Head \* \* \* Inflammation of the Eye \* \* \* Cystitis \* \* \* Gastritis—Catarrh of the Stomach \* \* \* Hemorrhoids—Piles \* \* \* Hay Fever

\* \* \* Throat Troubles \* \* \* Gonorrhœa \* \* \* Gleet \* \* \* Chronic Gonorrhœa \* \* \* Stricture \* \* \* Folliculitis \* \* \* Gonorrhœal Prostatitis \* \* \* Gonorrhœal Cystitis \* \* \* As a preventative—Inflammation and swelling of a Lymphatic Gland of the Groin \* \* \* Leucorrhœa—Whites—Catarrh of the Vagina \* \* \* Gonorrhœa in Women,” and certain other venereal diseases, were false and fraudulent.

On April 8, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7947. Misbranding of Brown's Blood Treatment. U. S. \* \* \* v. 4½ Dozen Bottles of Brown's Blood Treatment. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10462. I. S. No. 9403-r. S. No. C-1266.)**

On May 29, 1919, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4½ dozen packages of Brown's Blood Treatment, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about December 9, 1918, by B. L. Brown, Philadelphia, Pa., and transported from the State of Pennsylvania into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of potassium iodid, a mercury salt in small amount, and organic matter, apparently sugar.

Misbranding of the article was alleged in the libel in that the statements on the carton enclosing, in the circulars accompanying, and on the labels on the bottles containing the product, regarding the curative and therapeutic effects of the article, to wit, “Brown's Blood Treatment Price, \$2 per bottle; 6 bottles \$10.00. This preparation is recommended by us for the treatment of Contagious Blood Poison. B. L. Brown Sole Manufacturer 935 Arch Street, Philadelphia,” “Brown's Blood Treatment This preparation is recommended by us for the treatment of Contagious Blood Poison. B. L. Brown Sole Manufacturer Average 8 Fluid Ounces,” and “Brown's 935 Injection Syphilis and Blood Poison Dr. Brown's Blood Treatment is recommended to be used in Syphilitic Diseases of the Bones, Syphilitic Ulcers, Syphilitic Mucous Patches, Syphilitic and Scrofulous Skin Diseases and Diseases of the Blood arising from Syphilitic Inoculation,” were false and fraudulent.

On April 20, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7948. Misbranding of Rival Herb Tablets. U. S. \* \* \* v. 48 Packages of Rival Herb Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10472. I. S. No. 5645-r. S. No. C-1268.)**

On June 2, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and con-

condemnation of 48 packages, more or less, of Rival Herb Tablets, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on or about April 4, 1919, by James F. Straus, La Crosse, Wis., and transported from the State of Wisconsin into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of iron oxid coated tablets composed essentially of aloes, capsicum, unidentified plant extractives and resin, calcium carbonate, and sugar.

Misbranding of the article was alleged in the libel in that the statement on the package containing the article, regarding the article, to wit, "Rival Herb Tablets, Chocolate Coated," represented that the article was chocolate coated, whereas, in truth and in fact, it was not chocolate coated. Further misbranding was alleged in that the statements on the cartons enclosing, and in the circulars accompanying the article, regarding the curative or therapeutic effects of the article, to wit, "Rival Herb Tablets will cure the following diseases: Dyspepsia \* \* \* Liver and Kidney Disorders, Rheumatism, La Grippe, Stomach Trouble, Female Complaints, Lame Back, Nervous Affection, Sick Headache, Eczema, Catarrh and all Skin and Blood Diseases. \* \* \* A remedy for diseases arising from bad blood, inactive stomach, liver or kidneys. Rival Herb Tablets restores, strengthens, and builds up from the first dose, continuing to cure until perfect health is established. It has no equal for the cure of all derangements of the Digestive Organs, Torpidity of the Liver, Constipation, Weakened action of the Kidneys or skin, defective and impure blood supply, loss of nervous energy, and all diseases dependent upon malnutrition, deranged secretion and excretion \* \* \* gout \* \* \* Bright's disease \* \* \* all ailments peculiar to women such as painful, profuse and suppression of the monthly flow, backache, bearing down pains, bloating and spinal tenderness, pains in the groins and abdomen, constipation, congestion and inflammation of the womb and ovaries, etc. \* \* \* will invariably cure the worst cases of these ailments. For painless childbirth and prompt recovery after delivery it is really a specific. In cases of leucorrhœa or other unnatural vaginal discharges \* \* \* sure to cause a prompt cure," were false and fraudulent, in that the above statements were applied to the said article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of such purchasers the impression and belief that the said article was in whole or in part composed of, or contained, ingredients or medicinal agents or compounds of ingredients effective in accomplishing the results claimed in the above statements for the article.

On March 5, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7949. Adulteration of oranges. U. S. \* \* \* v. 165 Boxes of Oranges. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10474. I. S. No. 9429-r. S. No. C-1249.)**

On May 14, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 164 boxes of oranges, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped



on or about April 24, 1919, by the Mutual Orange Distributors, Redlands, Calif., and transported from the State of California into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act.

The article was labeled in part, "Golden Globe Mutual Orange Company Redlands California Sweets."

Adulteration of the article was alleged in the libel in that the product consisted in whole or in large part of a filthy, decomposed, and putrid vegetable substance.

On March 19, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7950. Misbranding of H. G. C. U. S. \* \* \* v. 11 Dozen Bottles of H. G. C. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 10478, 10479. I. S. Nos. 16222-r, 16526-r. S. Nos. E-1487, E-1488.)

On June 2, 1919, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 11 dozen bottles of drugs, labeled in part "H. G. C.," remaining unsold in the original unbroken packages at Savannah, Ga., alleging that the article had been shipped on or about March 22 and 25, 1919, by the Acme Chemical Mfg. Co., New Orleans, La., and transported from the State of Louisiana into the State of Georgia, and charging misbranding of the article in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of 2 preparations. The liquid consisted essentially of a dilute aqueous solution of borax and berberine, and the powder consisted of magnesium sulphate.

Misbranding of the article contained in both shipments was alleged in the libel in that statements on the carton enclosing, in the circular accompanying, and on the label on the bottle containing the article, regarding the curative and therapeutic effects of the article, to wit, "H. G. C. A Safe and Non Poisonous Injection for Gonorrhœa and Gleet in Either Sex. Non Injurious Injection for Gonorrhœa and Gleet for Male and Female. \* \* \* Take no substitutes. H. G. C. does not cause pain or injury. For Male and Female. For Gonorrhœa, Gleet, Leucorrhœa or Whites it is a non-poisonous injection \* \* \* for Catarrhal Conditions, Coryza, Nasal Catarrh, Cold in the Head, Chronic Catarrh of the Head \* \* \* Conjunctivitis, Catarrh of the Mucous Membrane Covering the Inner Surface of the Eyelids \* \* \* Cystitis, Inflammation of the Bladder \* \* \* Hæmorrhoids, Piles \* \* \*," were false and fraudulent and misleading in that the article contained borax and berberine, and magnesium sulphate, and in that said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it by the statements.

On September 30, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

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# United States Department of Agriculture,

## BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

### SERVICE AND REGULATORY ANNOUNCEMENTS.

#### SUPPLEMENT.

N. J. 7951-8000.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., December 14, 1920.]

#### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**7951. Misbranding of "G Zit" Complete-Stearns'. U. S. \* \* \* v. 79 Packages of "G Zit" Complete-Stearns'. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10481. I. S. No. 2865-r. S. No. W-390.)

On or about June 10, 1919, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 19 packages of drugs, labeled in part "'G Zit' Complete-Stearns'," at Pueblo, Colo., consigned on or about May 17, and November 6, 1918, and May 6, 1919, by Stearns-Hollinshead Co., Portland, Oreg., alleging that the article had been transported from the State of Oregon into the State of Colorado, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it consisted of bougies and antiseptics. The bougies consisted of silver nucleinate in a cacao butter base, and the antiseptics consisted essentially of balsam of copaiba, oleoresin of cubebs, a saponifiable oil, combined sulphur, and plant extractives indicating kava.

Misbranding of the article was alleged in that the statements on the carton enclosing, in the circulars and booklets accompanying, and on the labels on the package containing the article, regarding the curative and therapeutic effects of the article, to wit, "'G Zit' Complete-Stearns' A healing preparation \* \* \* less chance for complicated lasting disease, when this treatment is used. We Warn You Against the Doctor who \* \* \* writes you a prescription. You are better off to save this extra money and use Zit Complete, Stearns' \* \* \*. G Zit Antiseptics [Urinary]—Stearns' \* \* \* Remember: This Antiseptic acts on all germ life that may be lodged in the bladder \* \* \*. Instructions for Gonorrheal Patients To Cure Yourself. To Prevent Sexual Diseases Spreading from the Afflicted. Urethra \* \* \* take

medicine by mouth two days ahead of using any medicine in the Urethra \* \* \* (Use Zit Antiseptic \* \* \* Stearns'), then you must use \* \* \* Zit Bougies, Stearns' \* \* \*. This medicine does destroy the germ of Gonorrhea. \* \* \* gonorrhea neglected or wrongly treated is the cause of chronic prostatitis, therefore Gonorrhea patients should use Zit Complete, Stearns'. Stricture \* \* \* Very often Gleet is not more than a symptom of stricture. \* \* \* every case of stricture could be avoided \* \* \*. To avoid, use Zit Complete, Stearns' without \* \* \* using other medicine. Seminal Vesiculitis \* \* \* To prevent it follow all directions \* \* \* on labels of Zit Complete, Stearns' \* \* \* till cure is final and complete," were false and fraudulent, in that the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed in the above statements.

On March 16, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7952. Misbranding of "G Zit" Complete-Stearns'. U. S. \* \* \* v. 16 Packages of "G Zit" Complete-Stearns'. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10492. I. S. No. 2866-r, S. No. W-394.)

On or about June 12, 1919, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 16 packages of drugs, labeled in part "'G Zit' Complete-Stearns'," at Colorado Springs, Colo., consigned on or about February 8, 1919, by Stearns-Hollinshead Co., Portland, Oreg., alleging that the article had been transported from the State of Oregon into the State of Colorado, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it consisted of bougies and antiseptics. The bougies consisted of silver nucleinate in a cacao butter base, and the antiseptics consisted essentially of balsam of copaiba, oleoresin of cubebs, a saponifiable oil, combined sulphur, and plant extractives indicating kava.

Misbranding of the article was alleged in that the statements on the carton enclosing, in the circulars and booklets accompanying, and on the labels on the package containing the article, regarding the curative and therapeutic effects of the article, to wit, "'G Zit' Complete-Stearns' A healing preparation \* \* \* less chance for complicated lasting disease, when this treatment is used. We warn you against the doctor who \* \* \* writes you a prescription. You are better off to save this extra money and use Zit Complete, Stearns' \* \* \*. G Zit Antiseptics [Urinary]-Stearns' \* \* \* Remember: This Antiseptic acts on all germ life that may be lodged in the bladder \* \* \*. Instructions for Gonorrheal Patients To Cure Yourself. To Prevent Sexual Diseases Spreading from the Afflicted. Urethra \* \* \* Take medicine by mouth two days ahead of using any medicine in the Urethra \* \* \* (Use Zit Antiseptic \* \* \* Stearns'), then you must use \* \* \* Zit Bougies, Stearns' \* \* \* This medicine does destroy the germ of Gonorrhea. \* \* \* Gonorrhea neglected or wrongly treated is the cause of chronic prostatitis, therefore Gonorrhea patients should use Zit Complete. Stearns'. Stricture \* \* \* Very often Gleet is not more than a symptom of stricture. \* \* \* Every case of stricture could be avoided \* \* \* To avoid, use Zit Complete, Stearns, without \* \* \* using other medicine. Seminal Vesiculitis \* \* \* To prevent it follow all directions



\* \* \* on labels of Zit Complete, Stearns' \* \* \* till cure is final and complete," were false and fraudulent, in that the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed in the above statements.

On March 16, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7953. Misbranding of Brown's Blood Treatment. U. S. \* \* \* v. 3 Dozen Packages Brown's Blood Treatment. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10536. I. S. No. 8833-r. S. No. C-1287.)

On June 9, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen packages of Brown's Blood Treatment, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about March 17, 1919, by B. L. Brown, Philadelphia, Pa., and transported from the State of Pennsylvania into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a solution of iodids of potassium and mercury.

Misbranding of the article was alleged in the libel in that the statements on the carton enclosing, in the circulars accompanying, and on the label on the bottle containing the product, regarding the curative and therapeutic effects of the article, to wit, "Brown's Blood Treatment Price \$2 Per Bottle; 6 Bottles, \$10 This Preparation is Recommended by us for the Treatment of Contagious Blood Poison B. L. Brown Sole Manufacturer 935 Arch Street, Philadelphia," "Brown's Blood Treatment This preparation is recommended by us for the treatment of Contagious Blood Poison B. L. Brown Sole Manufacturer Average 8 Fluid Ounces," and "Brown's '935' Injection Syphilis and Blood Poison Dr. Brown's Blood Treatment is recommended to be used in Syphilitic Diseases of the Bones, Syphilitic Ulcers, Syphilitic Mucous Patches, Syphilitic and Scrofulous Skin Diseases of the Blood arising from Syphilitic Inoculation," were false and fraudulent.

On April 23, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7954. Misbranding of Prescription 1000 Internal. U. S. \* \* \* v. 33 Bottles of Prescription 1000 Internal. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10662. I. S. No. 2399-r. S. No. W-433.)

On June 26, 1919, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 33 bottles of Prescription 1000 Internal, remaining unsold in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped on April 30, 1919, by the Reese Chemical Co., Cleveland, Ohio, and transported from the State of Ohio into the State of Oregon, and charging

misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "Prescription 1000 Internal is the most efficient treatment for Gleet and Gonorrhœa \* \* \* New Discovery for Gonorrhœa and Gleet \* \* \*. Also a very good treatment for bladder troubles, frequent urination, inflammation \* \* \*;" (circular) "\* \* \* For Gonorrhœa, Gleet, Bladder Troubles, Frequent Urination, Inflammation \* \* \* Continue taking \* \* \* for several weeks after the discharge stops, and follow directions closely to insure permanent relief \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of an alkaline emulsion of balsam of copaiba and methyl salicylate.

It was alleged in substance in the libel that the article was misbranded for the reason that the statements, regarding the curative and therapeutic effects of the article and the ingredients and substances contained therein, as above set forth, were false and fraudulent in that it contained no ingredient or combination of ingredients capable of producing the curative and remedial therapeutic effects claimed for it on the cartons and in the circulars.

On September 4, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7955. Adulteration and misbranding of Big G. U. S. \* \* \* v. 36 Packages \* \* \* and 12 Packages \* \* \* of Big G. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 10857, 10858. I. S. Nos. 7181-r, 7188-r. S. Nos. C-1357, C-1358.)

On July 9, 1919, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 36 packages, more or less, and 12 packages, more or less, of drugs, labeled in part "Big G," remaining unsold in the original unbroken packages at Louisville, Ky., consigned May 31, and April 16, 1919, by the Evans Chemical Co. and John T. Park & Sons Co., Ltd., respectively, Cincinnati, Ohio, alleging that the articles had been transported from the State of Ohio into the State of Kentucky, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of borax and berberine. No hydrastine was present.

Adulteration of the article in each shipment was alleged in the libel in that the label on the package containing the article, regarding the article, "A compound of Borated Goldenseal," represented that the article contained borated goldenseal, whereas it contained no borated goldenseal, and its strength and purity fell below the professed standard and quality under which it was sold.

Misbranding of the article in each shipment was alleged in substance in the libel in that the statements on the labels on the packages containing the article, regarding the curative and therapeutic effects thereof, that the article would be effective in venereal diseases, were false and fraudulent.

On September 26, 1919, no claimant having appeared for the property, default decrees of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7956. Misbranding of olive oil. U. S. \* \* \* v. 150 Gallons \* \* \* Olive Oil. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 10907. I. S. No. 2531-r. S. No. W-450.)**

On August 2, 1919, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 150 gallons of Athlete Club olive oil, remaining unsold in the original unbroken packages at Salt Lake City, Utah, alleging that the article had been shipped on or about May 12 and 16, 1919, by the Nasiacos Importing Co., Chicago, Ill., and transported from the State of Illinois into the State of Utah, and charging misbranding in violation of the Food and Drugs Act, as amended.

Misbranding of the article was alleged in the libel in that the statement on the label on the can, regarding the article, to wit, "Contents  $\frac{1}{2}$  Gallon," represented that the contents of the cans was  $\frac{1}{2}$  gallon, whereas, in truth and in fact, each of said cans showed an average shortage of 6 per cent.

On October 25, 1919, the Nasiacos Importing Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released, after the payment of the costs of the proceedings by the claimant, upon the filing of a bond, in conformity with section 10 of the act, and that the goods be refilled at Chicago under the supervision of a representative of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

**7957. Misbranding of Stearns' Santaloids. U. S. \* \* \* v. 3 Dozen Bottles of Stearns' Santaloids. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11116. I. S. No. 17044-r. S. No. E-1676.)**

On August 30, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen bottles of Stearns' Santaloids, at Ponce, P. R., alleging that the article had been shipped on or about September 28, 1918, and transported from the State of New York into the Island of Porto Rico, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Santaloids \* \* \* Frederick Stearns & Company, Detroit, Mich., U. S. A."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of capsules containing santal oil.

It was alleged in substance in the libel that the article was misbranded for the reason that certain statements included in the circular accompanying the article falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for gonorrhœa and gleet, as much used by specialists in venereal diseases in the treatment of chronic gonorrhœa and military gout, to stimulate the debilitated membranes to their original vigorous action, as a specific for the treatment of subacute gonorrhœa, as a tonic for inflammation of the bladder, in incipient or acute bronchitis, and in the treatment of incipient gonorrhœa, whereas, in truth and in fact, the article contained no ingredient or combination of ingredients capable of producing the effects claimed in the circulars enclosed within the cartons, as aforesaid.

On November 26, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*



**7958. Misbranding of Milks Emulsion. U. S. \* \* \* v. 5½ Dozen Bottles (Small Size) and 8½ Dozen Bottles (Large Size), etc., of an Article of Drug Labeled in Part "Milks Emulsion." Consent decree of condemnation and forfeiture. Product ordered released on bond.** (F. & D. Nos. 11189, 11190, 11240, 11241, 11327, 11403. I. S. Nos. 17260-r, 17261-r, 17265-r, 17266-r, 17267-r, 17268-r, 17279-r, 17284-r. S. Nos. E-1705, E-1707, E-1715, E-1766, E-1813.)

On September 16, 19, and 26, and October 7, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of a certain quantity of large-size and small-size bottles of an article, labeled in part "Milks Emulsion," remaining unsold in the original unbroken packages at Baltimore, Md., consigned on or about June 19, July 22, August 23, September 3 and 6, 1919, alleging that the article had been shipped by the Milks Emulsion Co., Terre Haute, Ind., and transported from the State of Indiana into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it consisted essentially of petrolatum with small amounts of sirup, glycerin, and volatile oils including oils of lemon and wintergreen.

It was alleged in substance in the libels that the article was misbranded for the reason that the statements on the labels on the bottles containing, and on the cartons inclosing the article, regarding the curative and therapeutic effects of the article and the ingredients or substances contained therein, to wit, (bottle, both sides) "A valuable remedy for dyspepsia, indigestion, catarrh of the stomach and bowels, \* \* \* bronchial asthma, catarrhal croup, bronchitis \* \* \*. Especially beneficial in incipient consumption," (carton, both sides) "A valuable remedy for dyspepsia, indigestion, catarrh of the stomach and bowels, \* \* \* coughs due to sore throat, bronchitis or pneumonia, incipient consumption, bronchial asthma, catarrhal croup. \* \* \* strengthens the digestive organs, \* \* \* enriching the blood and increasing the flesh. It gives relief in curable Throat, Lung, Stomach, and Bowel Troubles, cleans and heals the afflicted parts and enables the machinery of the body to do its work properly, thus restoring strength and flesh and contributing to perfect health. \* \* \* It is very beneficial in incipient consumption, \* \* \* coughs due to sore throat, bronchitis or pneumonia, bronchial asthma, dyspepsia, indigestion, catarrh of the stomach and bowels, \* \* \*. Especially beneficial in the ills of children. It builds up their system, enriches their blood, improves the appetite, strengthens the throat, lungs and stomach, which are only too often the cause of croupy, weak and puny children. Milks Emulsion relieves catarrhal croup, and several doses given during the day will prevent it. Thousands of mothers endorse Milks Emulsion because it strengthens their children as nothing else has ever done, thus rendering them less liable to many of the contagious diseases so common among children," were false and fraudulent in that the article would not produce the effects claimed for it, and that these effects were claimed for the article with a knowledge of their falsity for the purpose of defrauding the purchasers of the article.

The article was further misbranded for the reason that the statement in the booklet "Milks Emulsion contains a great amount of fat," was false and misleading in that the article contained no fat.

After appearance of the Milks Emulsion Co., as claimant, an order consolidating the libels was entered on November 11, 1919, and on November 13, 1919,

judgment of condemnation and forfeiture was entered by consent, and it was ordered by the court that the product be released to the claimant upon the payment of the costs of the proceedings and the execution of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7959. Adulteration and misbranding of tomatoes. U. S. \* \* \* v. 1,000 Cases Rose Hill Brand Tomatoes. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11909. I. S. No. 3-r. S. No. E-1950.)**

On February 6, 1920, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,000 cases of Rose Hill Brand tomatoes, remaining unsold in the original, unbroken packages at Newark, N. J., alleging that the article had been shipped on or about October 25, 1919, by Charles Webster, East New Market, Md., and transported from the State of Maryland into the State of New Jersey, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Rose Hill Brand Tomatoes Packed by Chas. Webster at East Newmarket, Dorchester Co., Md."

Adulteration of the article was alleged in the libel in that water had been mixed and packed with it so as to reduce, lower, and injuriously affect its quality and strength. Further adulteration was alleged in that water had been substituted in part for the article.

Misbranding of the article was alleged in that the label was false and misleading and deceived and misled the purchaser into the belief that the article consisted wholly of tomatoes, whereas it contained added water. Further misbranding was alleged in that the product was an imitation of, and was sold under the distinctive name of, another article.

On May 18, 1920, Charles Webster having appeared as claimant for the property, consent decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be released upon the payment of the costs of the proceedings by the claimant and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7960. Misbranding of Tu-ber-ku Cough Mixture. U. S. \* \* \* v. 52 Bottles of Tu-ber-ku Cough Mixture. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 7989. I. S. No. 12057-m. S. No. C-632.)**

On January 11, 1917, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on March 2, 1918, an amended libel, for the seizure and condemnation of 52 bottles of Tu-ber-ku Cough Mixture, remaining unsold in the original unbroken packages at New Orleans, La., alleging that the article had been shipped on November 6, 1916, by Cawthon Coleman Co., Selma, Ala., and transported from the State of Alabama into the State of Louisiana, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of glycerin, alcohol, sugar, and water flavored with oil of peppermint.

Misbranding of the article was alleged in that statements on the labels on the bottles containing the article, regarding its curative and therapeutic effects, to wit, "Doctor Acker's Tu-ber-ku Cough Mixture Not Over 20% grain alcohol. For Consumption, Coughs, Croup, Colic, Catarrh and Asthma. No Poisons Prepared by Dr. Acker Chemical Co. Selma Alabama Price \$1.00," and on the cartons containing said bottles, "Dr. Acker's Tu-ber-ku for the treatment of Consumption, Coughs, Colds, Croup, Colic, Catarrh and Asthma Guaranteed by Dr. Acker Chemical Co. under the Food and Drugs Act June 30, 1906. Serial Number 22357," were false and fraudulent.

On May 29, 1920, after appearance, by attorney, of the Dr. Acker Chemical Co., as claimant, and after having filed an answer on motion of the attorney for the above claimant, the court allowed the answer filed in the case to be withdrawn and on consent a decree judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7961. Adulteration and misbranding of Planters Golden Crown Special. U. S. \* \* \* v. 104 Bottles of Planters Golden Crown Special. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 10510, 10511. I. S. Nos. 16527-r, 16224-r. S. Nos. F-1489, E-1490.)

On June 6, 1919, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 104 bottles of drugs, labeled in part "Planters Golden Crown Special," remaining unsold in the original unbroken packages at Savannah, Ga., alleging that the article had been shipped on or about April 11, and April 18, 1919, by the Planter Medicine Co., Baltimore, Md., and transported from the State of Maryland into the State of Georgia, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it consisted essentially of santal oil, copaiba, methyl salicylate, oil of cassia, ethyl nitrite, with indications of sanguinarin, and 35.7 and 35.4 per cent by volume of alcohol, respectively.

Adulteration of the article in both shipments was alleged in the libel in that its strength and purity fell below the professed standard and quality under which it was sold.

Misbranding of the article in both shipments was alleged in substance in that there was no statement on the label concerning the quantity and proportion of alcohol contained in the product. Misbranding was further alleged in that the statements appearing on the carton enclosing, in the circular accompanying, and on the label on the bottle containing the article, regarding the curative and therapeutic effects of the article, to wit, "Planters Golden Crown Special for Gonorrhoea, Gleet And Diseases of a Similar Character; Also to Be Used As a Preventative of stricture. Planters Golden Crown Special for Gonorrhoea, Gleet. Planters Golden Crown Special A safe and reliable medicine for gonorrhoea, gleet and diseases of a similar character Planters Golden Crown Special is a fine medicine for Kidney Troubles, Stone in the Bladder and all aching and painful sensations in the small of the back \* \* \* It will prevent stricture," were false and fraudulent in that the said product contained no ingredient or combination of ingredients capable of producing the effects claimed for the article by the above statements.



On September 30, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7962. Adulteration and misbranding of mustard. U. S. \* \* \* v. 57 Barrels of Mustard, Each Containing 43 Gallons, Labeled in Part, "Mustard, 43 Gall." Consent decree of condemnation and forfeiture. Product released on bond.** (F. & D. No. 10665. I. S. No. 2175-r, S. No. W-424.)

On June 21, 1919, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 57 barrels of mustard, each containing 43 gallons, labeled in part "Mustard, 43 gall.," remaining unsold in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped on or about October 3, 1918, by Libby, McNeil & Libby, Chicago, Ill., and was being transported from Chicago, Ill., to San Pedro, Calif., through Los Angeles, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that wheat flour and turmeric had been mixed and packed with, and substituted wholly or in part for, mustard, which the article purported to be. Further adulteration was alleged in that said article had been mixed and colored with turmeric in a manner whereby damage and inferiority were concealed.

Misbranding of the article was alleged in that the statement on the label on each of the barrels containing the article, to wit, "Mustard," was false and misleading and deceived and misled purchasers. Further misbranding was alleged in that the contents of each of said barrels were an imitation of, and were offered for sale under the distinctive name of, another article.

On April 26, 1920, the Southern California Fish Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon the payment of the costs of the proceedings and the execution of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7963. Adulteration and misbranding of butter. U. S. \* \* \* v. 45 Tubs, More or Less, of Butter. Consent decree of condemnation and forfeiture. Product released on bond.** (F. & D. No. 10667. I. S. No. 7203-r, S. No. C-1321.)

On June 24, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 45 tubs, more or less, of butter, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on June 6, 1919, by the Danube Creamery Co., Danube, Minn., and transported from the State of Minnesota into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that a substance, to wit, excessive water, had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality and strength. Further adulteration was alleged in that a substance deficient in milk fat and high in moisture had been substituted in part for the said article. Further adulteration was alleged in that a valuable constituent of the article, to wit, butter fat, had been in part abstracted from the article.

Misbranding of the article was alleged in that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, butter.

On September 30, 1919, W. F. Drennan & Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond, in conformity with section 10 of the act, conditioned in part that the article be reprocessed under the supervision of the United States marshal and a representative of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

**7964. Adulteration and misbranding of alleged cocoa. U. S. \* \* \* v. 77 Boxes, More or Less, of Alleged Cocoa. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10674. I. S. No. 6772-r. S. No. C-1324.)**

On June 27, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 77 boxes, more or less, of alleged cocoa, remaining unsold in the original unbroken packages at LaSalle, Ill., alleging that the article had been shipped on March 28, 1919, by the National Cocoa Mills, New York, N. Y., and transported from the State of New York into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "My Own Pure Cocoa."

Adulteration of the article was alleged in that starch and sugar had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength. Further adulteration of the article was alleged in that starch and sugar had been substituted in part for genuine cocoa which the article purported to be. Further adulteration of the article was alleged in that the said article was mixed in a manner whereby damage and inferiority were concealed.

Misbranding of the article was alleged in that the statements on the label on the package containing the article, regarding the article, to wit, "My Own Pure Cocoa The Cocoa contained in this package is Positively High Grade \* \* \* It is breakfast cocoa of Superior Quality and Excellence and similar to the highest grades of cocoa which have been awarded First Prize Gold Medals Absolutely Pure," (in inconspicuous type, rubber-stamped on side of package) "My Own Cocoa Compound Containing Cocoa Sugar Corn Starch," were false and misleading in that the statement, "My Own Pure Cocoa," was not sufficiently corrected by the inconspicuous statement, "My Own Cocoa Compound Containing Cocoa Sugar Corn Starch," and in that the above statements deceived and misled the purchaser into the belief that the article was pure cocoa, whereas the article was not pure cocoa, but starch and sugar had been mixed and packed with said article so as to reduce, lower, and injuriously affect its quality and strength. Further misbranding was alleged in that the statement above, to wit, "My Own Pure Cocoa," represented that the article was pure cocoa, whereas, in truth and in fact, it was not pure cocoa, but was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, genuine cocoa.

On March 5, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7965. Adulteration and misbranding of alleged gelatin. U. S. \* \* \* v. 1 Barrel of Alleged Gelatin. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 10698. I. S. No. 5634-r. S. No. C-1319.)**

On June 24, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 barrel of alleged gelatin, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on March 1, 1919, by The J. O. Whitten Co., Winchester, Mass., and transported from the State of Massachusetts into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that the article was composed of a certain substance, to wit, glue, which said substance, containing excessive amounts of arsenic and mercury, had been substituted for gelatin which the said article purported to be. Further adulteration was alleged in that a certain substance, to wit, glue, containing excessive amounts of arsenic and mercury, had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength. Further adulteration of the article was alleged in that the said article contained added poisonous and deleterious ingredients, to wit, arsenic and mercury, which might render the article injurious to health.

Misbranding of the article was alleged in that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On August 9, 1919, The J. O. Whitten Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7966. Adulteration and misbranding of mustard. U. S. \* \* \* v. 250 Cases of Mustard. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10699. I. S. No. 7042-r. S. No. C-1318.)**

On June 23, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 250 cases of mustard, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about May 6, 1919, by R. J. Meguiar, Greenville, Ohio, and transported from the State of Ohio into the State of Missouri, in violation of the Food and Drugs Act. The article was in part labeled, "Elk Brand Prepared Mustard Colored and flavored with turmeric."

Adulteration of the article was alleged in that it consisted in whole or large part of a filthy, decomposed, and putrid vegetable substance.

Misbranding of the article was alleged in that the statements on the labels on the packages containing the article, regarding the article, to wit, "Elk Brand Prepared Mustard Colored" and "flavored with turmeric," were false and fraudulent.

On April 27, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*



**7967. Adulteration of rice. U. S. \* \* \* v. 2,061 Bags, More or Less, of Rice. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 10825. I. S. No. 7583-r. S. No. C-1341.)**

On July 9, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2,061 bags, more or less, of rice, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on April 30, May 5, May 7, May 10, May 14, and May 21, 1919, by The Maritime Salvage Association, Inc., Brooklyn, N. Y., and transported from the State of New York into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that the article consisted in part of a filthy, decomposed, and putrid vegetable substance.

On September 19, 1919, Frank J. Delany, claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond, in conformity with section 10 of the act, conditioned in part that the released product be used for the manufacture of alcohol.

E. D. BALL, *Acting Secretary of Agriculture.*

**7968. Misbranding of Dr. Vaughn's Tick Fever Medicine. U. S. \* \* \* v. 3 Boxes, Each Containing 42 Bottles, More or Less, of Dr. Vaughn's Tick Fever Medicine. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10841. I. S. No. 7653-r. S. No. C-1370.)**

On or about July 31, 1919, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 boxes, each containing 42 bottles, more or less, of Dr. Vaughn's Tick Fever Medicine, remaining unsold in the original unbroken packages at Boswell, Okla., alleging that the article had been shipped on or about July 2, 1918, by Dr. I. L. Vaughn, Goldthwaite, Tex., and transported from the State of Texas into the State of Oklahoma, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of the product by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of iodine, potassium iodide, phenol, and glycerin.

Misbranding of the article was alleged in the libel in that statements borne on the label on the boxes containing the article, regarding the curative and therapeutic effects of the article, to wit, "Doctor I. L. Vaughn, Veterinary Surgeon Manufacturer of High-Grade Stock Medicines. Proprietor of the Vaughn Tick Fever Remedy The Medicine That Has Made a World's Record in Curing and Preventing Tick Fever in Cattle," were false and fraudulent in that they conveyed the impression that the article was a preventive remedy, treatment, or cure for tick fever when in fact it is not.

On January 28, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7969. Adulteration of shell eggs. U. S. \* \* \* v. 4 Cases of Shell Eggs. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10852. I. S. No. 8843-r. S. No. C-1362.)

On June 26, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 cases of shell eggs, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about June 25, 1919, by J. D. Walker, Herrin, Ill., and transported from the State of Illinois into the State of Missouri, in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that the product consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On April 29, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7970. Adulteration of tomato paste with basilico. U. S. \* \* \* v. Vincent Taormina. Plea of guilty. Fine, \$200.** (F. & D. No. 10783. I. S. Nos. 11737-p, 1332-p, 1333-p, 1334-p, 1337-p, 1338-p, 1339-p.)

In the July term, 1919, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Vincent Taormina, Moneta, Calif., alleging the shipment by said defendant, in violation of the Food and Drugs Act, on or about October 12, 1917, from the State of California into the State of Illinois, and on or about December 7, 1917, into the State of Massachusetts, of quantities of an article, labeled in part "Tomato Paste with Basilico Polly Brand" and "Tomato Paste with Basilico Flag Brand," which was adulterated.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it consisted of a decomposed vegetable substance.

Adulteration of the article in each shipment was alleged in the information in that the article consisted in part of a filthy, decomposed, and putrid vegetable substance.

On October 27, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$200.

E. D. BALL, *Acting Secretary of Agriculture.*

**7971. Misbranding of Bokert Water. U. S. \* \* \* v. Bokert Springs Mineral Water Co., a Corporation. Plea of nolo contendere as to count 1. Count 2 dismissed. Fine, \$50 and costs.** (F. & D. No. 10889. I. S. No. 7512-r.)

On September 12, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Bokert Springs Mineral Water Co., a corporation, De Soto, Mo., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about July 22, 1918, from the State of Missouri into the State of Illinois, of a quantity of an article, labeled in part "Bokert Water," which was misbranded.

Misbranding of the article was alleged in the information in that certain statements regarding the curative or therapeutic effects of the article, appear-

ing on the label on the bottle containing, and on the shipping case enclosing the article, falsely and fraudulently represented the article to be effective as a remedy for kidney, stomach, and intestinal disorders and that the water was actively diuretic, whereas, in truth and in fact, it was not effective for the purposes claimed. Misbranding of the article was alleged further in that the article was food in package form, and the quantity of the contents of the package was not plainly or conspicuously marked on the outside thereof in terms of weight, measure, or numerical count.

On April 29, 1920, the defendant entered a plea of *nolo contendere* to count 1, count 2 was dismissed on motion of the United States attorney, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**7972. Misbranding of Gold Medal Haarlem Oil Capsules. U. S. \* \* \* v. H. R. Lathrop & Co., a Corporation. Plea of guilty. Fine, \$300. (F. & D. No. 10898. I. S. Nos. 14954-r, 14971-r, 14972-r.)**

On October 15, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against H. R. Lathrop & Co., a corporation, New York, N. Y., alleging the shipment by said defendant, in violation of the Food and Drugs Act, as amended, on February 19, 1919, from the State of New York into the State of Pennsylvania, of quantities of an article, labeled in part "Gold Medal Haarlem Oil Capsules," which was misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it consisted of capsules containing essentially oil of turpentine, a mixture of fixed oils, and combined sulphur.

Misbranding of the article was alleged in substance in the information in that certain statements, designs, and devices regarding the therapeutic and curative effects of the article, appearing on the labels of the cartons and in the booklets accompanying the packages, falsely and fraudulently represented that the article was effective, among other things, as a treatment, remedy, and cure for kidney, liver, bladder, rheumatic and uric acid troubles, for kidney complaint, highly colored urine, brick-dust therein, uric acid, calculi, gravel, stone in bladder, impure blood, rheumatism, backache, catarrh of the bladder and bowels, ulceration of the bladder, pain in the joints and hips, chronic and other diseases of the kidneys, and any diseases of the kidneys and urinary tracts, loss of flesh, liver complaints, distress after eating, dyspepsia, stomach disorders including weak stomach, constipation, nausea, and vomiting, female disorders, and to control female disorders and avert their consequences, when, in truth and in fact, said article was not effective for the purposes named.

On November 5, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$300.

E. D. BALL, *Acting Secretary of Agriculture.*

**7973. Adulteration of shell eggs. U. S. \* \* \* v. 6 Cases of Shell Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10899. I. S. No. 8427-r. S. No. C-1386.)**

On July 16, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 cases of shell eggs, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about



July 14, 1919, by the Brookland Feed Co., Brookland, Ark., and transported from the State of Arkansas into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that the article consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On May 1, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7974. Adulteration of shell eggs. U. S. \* \* \* v. 7 Cases of Shell Eggs. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 10900. I. S. No. 9448-r. S. No. C-1378.)**

On July 11, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 7 cases of shell eggs, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about July 9, 1919, by Hatchett Bros., Clinton, Ark., and transported from the State of Arkansas into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On May 1, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7975. Misbranding of Allan's Compound of Sarsaparilla and Yellow Dock. U. S. \* \* \* v. 36 Bottles, More or Less, of Allan's Compound of Sarsaparilla and Yellow Dock. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10905. I. S. No. 8844-r. S. No. C-1395.)**

On August 7, 1919, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 36 bottles, more or less, of Allan's Compound of Sarsaparilla and Yellow Dock, remaining unsold in the original unbroken packages at East St. Louis, Ill., consigned by the Allan-Pfeiffer Chemical Co., St. Louis, Mo., alleging that the article had been shipped on or about May 29, 1919, from St. Louis, Mo., and transported from the State of Missouri into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a solution containing potassium iodid, sugar, plant extractives including those of a laxative plant drug, alcohol, and water.

Misbranding of the article was alleged in the libel in that certain statements regarding the curative or therapeutic effects of the article, appearing on the labels on the carton enclosing, and on the label of the bottle containing the article, falsely and fraudulently represented the article to be effective as a remedy for scrofulous and cancerous affections, ulcers, cancers, pimples, boils, tetter, blotches, salt rheum, rheumatism, syphilitic mercurial diseases, as a

blood purifier and system renovator, skin and blood remedy, for sick headache, ringworm, humors on face, catarrh, headache, dizziness, faintness at the stomach, female weakness, general debility, and all diseases arising from an impure state or low condition of the blood, whereas, in truth and in fact, it was not effective.

On December 22, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7976. Adulteration of processed butter. U. S. \* \* \* v. 70 Tubs of Alleged Processed Butter. Consent decree of condemnation and forfeiture. Goods released on bond. (F. & D. No. 10910. I. S. No. 15546-r. S. No. E-1645.)**

On August 5, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 70 tubs of alleged processed butter, remaining unsold in the original unbroken packages at Baltimore, Md., consigned July 28, 1919, alleging shipment by R. E. Cobb Co., St. Paul, Minn., and transported from the State of Minnesota into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that water had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality and strength, and a substance low in butter fat and high in moisture had been substituted wholly or in part for the article, and further in that a valuable constituent thereof, to wit, butter fat, had been in part abstracted.

On September 26, 1919, John N. Poehlman and George W. T. Poehlman, co-partners, trading as John N. Poehlman & Sons, claimants, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimants upon the payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7977. Adulteration of eggs. U. S. \* \* \* v. 6 Cases, More or Less, of Eggs. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 10912. I. S. No. 7844-r. S. No. C-1392.)**

On July 21, 1919, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 cases, more or less, of eggs, remaining unsold in the original unbroken packages at St. Paul, Minn., consigned by Harold Read, and alleging that the article had been shipped on or about July 18, 1919, from Pleasant Ridge, S. Dak., and transported from the State of South Dakota into the State of Minnesota, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of decomposed eggs.

On January 8, 1920, default decree of condemnation and forfeiture was entered, and it was ordered by the court that the inedible eggs be destroyed, and that the good portion be sold by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7978. Adulteration of oysters. U. S. \* \* \* v. Cape Ann Fish Co., a Corporation. Plea of nolo contendere. Fine, \$20. (F. & D. No. 11443. I. S. No. 12809-r.)**

On January 20, 1920, the United States attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Cape Ann Fish Co., a corporation, Providence, R. I., alleging shipment by the defendant, in violation of the Food and Drugs Act, on March 12, 1919, from the State of Rhode Island into the State of New Hampshire, of a quantity of an article which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

	Per cent.
Solids -----	12.32
Ash -----	0.87
NaCl -----	0.04
Loss on boiling -----	50.00

The analysis indicates that the product contained an excessive amount of water.

Adulteration of the article was alleged in the information in that water had been substituted in part for oysters, which the article purported to be. Said article was further adulterated in that water had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality and strength.

On March 29, 1920, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$20.

E. D. BALL, *Acting Secretary of Agriculture.*

**7979. Misbranding of McConnon's Stock Tonic. U. S. \* \* \* v. 19 Packages of McConnon's Stock Tonic. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11467. I. S. No. 8405-r. S. No. C-1525.)**

On October 8, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 19 packages of McConnon's Stock Tonic, remaining unsold in the original unbroken packages at Dexter, Mo., alleging that the article had been shipped on or about June 19, 1919, by McConnon & Co., Winona, Minn., and transported from the State of Minnesota into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of cereal "shorts," salt, charcoal, American wormseed, capsicum, and bitter plant material.

Misbranding of the article was alleged in the libel in that certain statements regarding the curative or therapeutic effects of the article, appearing on the label on the package containing, and in the booklet accompanying the article, falsely and fraudulently represented the article to be effective as a remedy for epizooty and influenza in horses and cholera in hogs and for scours, whereas, in truth and in fact, it was not effective as a remedy for the diseases named.

On April 12, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*



**7980. Misbranding of Hill's Specific or Aromatic Elixir. U. S. \* \* \* v. Hill Chemical Co., a Corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 10053. I. S. No. 9623-p.)**

On August 18, 1919, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Hill Chemical Co., a corporation, Cave in Rock, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about June 3, 1918, from the State of Illinois into the State of Missouri, of a quantity of Hill's Specific or Aromatic Elixir which was misbranded. The article was labeled in part: (Wrapper) (photograph) "G. W. Hill M. D. None genuine without the photo and signature of Hill's Specific or Aromatic Elixir Contains 1-6 grain opium to each fluid oz. 10% alcohol. A Very Pleasant Preparation for Infants and Delicate Persons for Summer Complaint or Diarrhea of Children. A safe and effectual remedy for Diarrhoea, Dysentery, Cholera Morbus, Cholera Infantum, Cramps, Pains in the stomach and Bowels, Fretfulness and Peevishness in Children and all Stomach and Bowel Troubles. Price 25 Cents Put Up and Guaranteed by Hill Chemical Co. Incorporated Paducah, Kentucky;" (circular) "Hill's for Health Hill's Specific A superb remedy for Flux, Diarrhoea, Dysentery, Cholera Morbus, Gripping Pains, Overloading of the Stomach, Cramps, Cramp Colic and uneasiness in Stomach of Adults. It is Astringent, Anodyne and Aromatic; Mild, Pleasant to take, but effective. Mr. Ed. Musgraves, a leading druggist of Raleigh, Ill., said: 'Hill's Specific cured eight children in one summer in our town after physicians had given them up to die with 'summer complaint.'"

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted of a solution containing essentially sugar, alcohol, sulphites, sulphates, small quantities of camphor and capsicum, and morphine equivalent to  $\frac{1}{2}$  grain of opium per fluid ounce.

Misbranding of the article was alleged in the information for the reason that the statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the labels of the bottles and wrappers and in the circulars accompanying the same, were false and fraudulent in this, that they were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of purchasers the impression and belief that the article was in whole or in part composed of, or contained, ingredients or medicinal agents effective as a specific, treatment, remedy, and cure for summer complaint, diarrhoea of children, dysentery, cholera morbus, cholera infantum, fretfulness and peevishness in children, and all stomach and bowel troubles, and effective to soothe and heal the bowels, destroy unnatural ferments, bacteria, and all germ life, and effective when used in connection with sub-nitrate of bismuth as a specific for summer complaint and other lingering diseases, when, in truth and in fact, said article was not in whole or in part composed of, or did not contain ingredients or medicinal agents effective for the diseases named. Misbranding of the article was alleged for the further reason that the statement, "Contains 1-6 grain Opium to each fluid oz.," borne on the carton containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading, in that it represented that said article contained  $\frac{1}{2}$  grain of opium to each fluid ounce, whereas, in truth and in fact, the article contained more than  $\frac{1}{2}$  grain of opium to each fluid ounce. The article was misbranded for the further reason that it contained morphine and alcohol, and the label failed to state the quantity or proportion of the morphine or alcohol, and in that the

statement borne on the article, "a safe remedy," was false and misleading, in that it represented that the article was a therapeutic preparation which could be administered with safety to health, whereas, in truth and in fact, the article was not a safe remedy, but was a preparation which contained a harmful and deleterious drug, to wit, opium, which could not be administered with safety to health.

On September 2, 1919, the defendant company entered a plea of guilty, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**7981. Adulteration and misbranding of Big G. U. S. \* \* \* v. 522 Bottles of Big G. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10552. I. S. Nos. 7664-r, 7665-r. S. No. C-1283.)**

On June 21, 1919, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 522 bottles of Big G, remaining unsold in the original unbroken packages at Oklahoma City, Okla., alleging that the article had been shipped on or about June 10, 1918, and October 21, 1918, by the Evans Chemical Co., Cincinnati, Ohio, and transported from the State of Ohio into the State of Oklahoma, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Big G."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted of a dilute aqueous solution of borax and berberine. No hydrastine was present.

Adulteration of the article was alleged in the libel for the reason that the bottle carton was labeled "A Compound of Borated Goldenseal," and its strength and purity fell below the professed standard and quality under which it was sold.

Misbranding of the article was alleged in substance for the reason that certain statements regarding the curative and therapeutic effects thereof, appearing on the labels and in the circulars accompanying the article, falsely and fraudulently represented that the article was a treatment, remedy, and cure for catarrh, hay fever, and inflammations, irritations, or ulcerations of mucous membranes or linings of the nose, throat, stomach, and urinary organs, unnatural discharges of the urinary organs, inflamed, ulcerated, itching conditions of the skin and mucous membranes of the mouth, nose, throat, eye, and ear, catarrh—chronic, of the head, gastritis, catarrh of the stomach, hemorrhoids, piles, gonorrhoea, gleet, chronic gonorrhoea, stricture, folliculitis, gonorrheal cystitis, leucorrhoea, whites, catarrh of the vagina, gonorrhoea in women, and certain other venereal diseases, when, in truth and in fact, it was not.

On October 16, 1919, no claimant having appeared for the property, a decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7982. Misbranding of Santal Midy. U. S. \* \* \* v. 48 Dozen Bottles and 12 Dozen Bottles of Santal Midy. Decree of condemnation and forfeiture. Product ordered released under bond. (F. & D. No. 10561. I. S. Nos. 2182-r, 2183-r. S. No. W-422.)**

On June 16, 1919, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 48 dozen bottles and 12 dozen bottles of Santal Midy, remaining unsold in the original unbroken packages at Los Angeles, Calif., alleging that

the article had been shipped on or about February 20, 1919, and April 26, 1919, by E. Fougere & Co., New York, N. Y., and transported from the State of New York into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Santal Midy \* \* \* E. Fougere & Co., Inc., New York."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of santal oil.

Misbranding of the article was alleged in the libel for the reason that the statements regarding the curative and therapeutic effects thereof, appearing on the labels and in the circulars accompanying the article, falsely and fraudulently represented that the article was a treatment, remedy, and cure for gonorrhoea, gleet, discharges from the urinary organs, gonorrhoea in the acute stage, inflammation of the bladder when the bladder walls are inflamed and even when there is hemorrhage, hematuria, suppurative nephritis, chronic catarrh of the bladder, vesical catarrh of old age, stricture of the urethra, congestion of the prostate, acute cystitis, and cystitis, when, in truth and in fact, it was not.

On December 3, 1919, E. Fougere & Co., New York, N. Y., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act, conditioned in part that the product be relabeled under the supervision of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

**7983. Misbranding of "G Zit" Complete-Stearns'. U. S. \* \* \* v. 7 Dozen Packages of "G Zit" Complete-Stearns'. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10568. I. S. Nos. 8834-r, 8835-r. S. No. C-1299.)

On June 18, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 7 dozen packages of "G Zit" Complete-Stearns', remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about March 2, 1919, by Stearns-Hollinshead Co., Portland, Oreg., and transported from the State of Oregon into the State of Missouri, and charging misbranding under the Food and Drugs Act, as amended. The articles were labeled in part, "'G-Zit' Complete-Stearns," "G Zit Antiseptic," and "G Zit Bougies."

Analyses of samples of the products by the Bureau of Chemistry of this department showed that the "G Zit" Complete consisted of two preparations, bougies and gelatin capsules described as "Antiseptics." The bougies consisted of silver nucleinate in a cacao butter base, and the antiseptics consisted of gelatin capsules containing balsam of copaiba, aleoresin of cubebs, linseed oil, combined sulphur, and unidentified plant extractives.

Misbranding of the articles was alleged in substance in the libel for the reason that the statements regarding the curative and therapeutic effects thereof, appearing on the labels and in the circulars accompanying the articles, falsely and fraudulently represented that the articles were treatments, remedies, and cures for gonorrhoea, gleet, stricture, and seminal vesiculitis, when, in truth and in fact, they were not.

On April 23, 1920, no claimant having appeared for the property, a decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*



**7984. Misbranding of The "3 Days" Cure. U. S. \* \* \* v. 13 Bottles of The "3 Days" Cure. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10578. I. S. Nos. 7891-r, 7892-r. S. No. C-1288.)**

On June 16, 1919, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 13 bottles of The "3 Days" Cure, remaining unsold in the original unbroken packages at Indianapolis, Ind., alleging that the article had been shipped on or about February 19, 1919, by The "3 Days" Cure Co., Washington, D. C., and transported from the District of Columbia into the State of Indiana, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part, "The '3 Days' Cure."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that the contents of the capsules consisted essentially of powdered cubebs and copaiba balsam.

Misbranding of the articles was alleged in substance in the libel for the reason that the statements regarding the curative and therapeutic effects thereof, appearing on the labels and in the circulars accompanying the article, falsely and fraudulently represented that the article was a treatment, remedy, and cure for gonorrhoea, gleet, and inflammation in the urethral canal, when, in truth and in fact, it was not.

On January 2, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and on February 24, 1920, it was ordered by the court that the article be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7985. Misbranding of Cu-Co-Ba "Tarrant" and Compound Extract of Cubebs with Copaiba. U. S. \* \* \* v. 140 Packages of Cu-Co-Ba "Tarrant," and 70 Packages of Compound Extract of Cubebs with Copaiba. Consent decree of condemnation and forfeiture. Product ordered released under bond. (F. & D. No. 10597. I. S. Nos. 2869-r, 2870-r. S. No. W-416.)**

On June 23, 1919, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 140 packages of Cu-Co-Ba "Tarrant," and 70 packages of Compound Extract of Cubebs with Copaiba, remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about August 15, 1918, and December 14, 1918, and transported from the State of New York into the State of Colorado, and charging misbranding in violation of the Food and Drugs Act, as amended. The articles were labeled in part, "Cu-Co-Ba 'Tarrant'" and "Compound Extract of Cubebs with Copaiba."

Analyses of samples of the products by the Bureau of Chemistry of this department showed that the Cu-Co-Ba "Tarrant" consisted essentially of a mixture of copaiba balsam and oleoresin of cubebs, and that the Compound Extract of Cubebs with Copaiba consisted of a plastic mass containing the extractives of cubebs and copaiba with magnesium oxid.

Misbranding of the articles was alleged in substance in the libel for the reason that the statements regarding the curative and therapeutic effects thereof, appearing on the labels and in the circulars accompanying the articles, falsely and fraudulently represented that the articles were a treatment, remedy, and cure for lesions of the mucous surfaces, excessive and annoying discharges, inflammations and irritations of the bladder, kidneys, prostate, urethra, and

vagina, gleet, gonorrhœa, and leucorrhœa, chronic bronchitis, irritation of prostate with frequent desire to urinate, contagious disorder known as gonorrhœa or clap, leucorrhœa or whites, inflammation of the bladder and urethra, when, in truth and in fact, it was not.

On October 28, 1919, the Tarrant Co., New York, N. Y., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act, conditioned in part that the product be relabeled under the supervision of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

**7986. Misbranding of Prescription 1000 Internal and Prescription 1000 Injection. U. S. \* \* \* v. 4 Dozen Bottles of Prescription 1000 Internal and 2 Dozen Bottles of Prescription 1000 Injection. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10598. I. S. Nos. 16556-r, 16557-r. S. No. E-1551.)**

On June 27, 1919, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 dozen bottles of Prescription 1000 Internal and 2 dozen bottles of Prescription 1000 Injection, remaining unsold in the original unbroken packages at Savannah, Ga., alleging that the article had been shipped on or about May 7, 1919, by the Reese Chemical Co., Cleveland, Ohio, and transported from the State of Ohio into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended. The articles were labeled in part, "Prescription 1000 Reese Chem. Co. Internal" and "Prescription 1000 Reese Chem. Co. Injection."

Analyses of samples of the products by the Bureau of Chemistry of this department showed that the Prescription 1000 Internal consisted of an alkaline emulsion of copaiba balsam, methyl salicylate, and water, and that the Prescription 1000 External (Injection) consisted essentially of a weak aqueous solution of potassium permanganate.

Misbranding of the article was alleged in substance in the libel for the reason that the statements regarding the curative and therapeutic effects thereof, appearing on the labels and in the circulars accompanying the article, falsely and fraudulently represented that the article was a treatment, remedy, and cure for gonorrhœa and gleet, when, in truth and in fact, it was not.

On September 30, 1919, no claimant having appeared for the property, a decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7987. Misbranding of G Zit Antiseptics and "G Zit" Complete-Stearns'. U. S. \* \* \* v. 32 Packages \$11-size and 66 Packages \$6-size of "G Zit" Complete-Stearns', and 60 Packages \$1-size G Zit Antiseptics. Default decree of condemnation and forfeiture. Product ordered released under bond. (F. & D. No. 10603. I. S. No. 15033-r. S. No. E-1561.)**

On June 24, 1919, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels (2 seizures) for the seizure and condemnation of 32 packages \$11-size, 66 packages \$6 size of "G Zit" Complete-Stearns', and 60 packages \$1-size of G Zit Antiseptics, remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the

article had been shipped on or about April 5, 1919, from Portland, Oreg., and transported from the State of Oregon into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended. The articles were labeled in part, "'G Zit' Complete-Stearns'," "G-Zit Antiseptics," and "G Zit Bougies."

Analyses of samples of the products by the Bureau of Chemistry of this department showed that the "G Zit" Complete consisted of two preparations, bougies and gelatin capsules, described as "Antiseptics." The bougies consisted essentially of silver nucleinate in a cacao butter base, and the antiseptics consisted of gelatin capsules containing balsam of copaiba, oleoresin of cubebs, linseed oil, combined with sulphur, and unidentified plant extractives.

Misbranding of the article was alleged in substance in the libel for the reason that the statements, regarding the curative and therapeutic effects thereof, appearing on the labels and in the circulars accompanying the article, falsely and fraudulently represented that the article was a treatment, remedy, and cure for gonorrhœa, stricture, and seminal vesiculitis, when, in truth and in fact, it was not.

On January 20, 1920, Stearns-Hollinshead Co., Portland, Oreg., claimant, having filed an answer consenting to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of bonds in the sum of \$500 and \$1,000, in conformity with section 10 of the act, conditioned in part that the product be relabeled under the supervision of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

**7988. Misbranding of G Zit Antiseptics and "G Zit" Complete-Stearns'. U. S. \* \* \* v. 23 Packages and 12 Packages of G Zit Antiseptics, and 13 Packages and 14 Packages of "G Zit" Complete-Stearns'. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 10613, 10614. I. S. Nos. 5595-r, 5596-r. S. Nos. C-1291, C-1292.)**

On June 18 and 23, 1919, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels (2 seizures) for the seizure and condemnation of 23 packages and 12 packages of G Zit Antiseptics, and 13 packages and 14 packages of "G Zit" Complete-Stearns', remaining unsold in the original unbroken packages at Oklahoma City, Okla., alleging that the articles had been shipped on or about April 1, 1918, and August 10, 1918, by Stearns-Hollinshead Co., Inc., Portland, Oreg., and transported from the State of Oregon into the State of Oklahoma, and charging misbranding in violation of the Food and Drugs Act, as amended. The articles were labeled in part, "G Zit Antiseptics," "'G Zit' Complete-Stearns'," and "G Zit Bougies."

Analyses of samples of the products by the Bureau of Chemistry of this department showed that the "G Zit" Complete consisted of two preparations, bougies and antiseptics. The bougies consisted of silver nucleinate in a cacao butter base, and the antiseptics consisted of gelatin capsules containing balsam of copaiba, oleoresin of cubebs, linseed oil, combined sulphur, and unidentified plant extractives.

Misbranding of the articles was alleged in substance in the libel for the reason that the statements regarding the curative and therapeutic effects thereof, appearing on the labels and in the circulars accompanying the articles, falsely and fraudulently represented that they were treatments, remedies, and cures for gonorrhœa and sexual diseases, when, in truth and in fact, they were not.



On January 30, 1920, no claimant having appeared for the property, a decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7989. Misbranding of Prescription 1000 Internal. U. S. \* \* \* v. 45 Bottles of Prescription 1000 Internal. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10644. I. S. No. 7675-r. S. No. C-1310.)

On June 23, 1919, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 45 bottles of Prescription 1000 Internal, remaining unsold in the original unbroken packages at Oklahoma City, Okla., alleging that the article had been shipped on or about May 1, 1919, by the Reese Chemical Co., Cleveland, Ohio, and transported from the State of Ohio into the State of Oklahoma, and charging that the article was misbranded in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Prescription 1000 Internal."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted of a slightly alkaline emulsion containing copaiba balsam and methyl salicylate.

Misbranding of the article was alleged in substance in the libel for the reason that the statements regarding the curative and therapeutic effects thereof, appearing on the labels and in the circulars accompanying the article, falsely and fraudulently represented that the article was a treatment, remedy, and cure for gleet and gonorrhœa, when, in truth and in fact, it was not.

On January 30, 1920, no claimant having appeared for the property, a decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7990. Misbranding of Santal Midy Capsules. U. S. \* \* \* v. 18 Dozen Packages of Santal Midy Capsules. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10654. I. S. No. 7201-r. S. No. C-1315.)

On June 25, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 18 dozen packages of Santal Midy Capsules, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on or about January 25, 1919, and transported from the State of New York into the State of Illinois, and charging that the article was misbranded in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Santal Midy Capsules."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that the contents of the capsules consisted of santal oil.

Misbranding of the article was alleged in the libel for the reason that the statements regarding the curative and therapeutic effects thereof, appearing on the labels and in the circulars accompanying the article, falsely and fraudulently represented that the article was a treatment, remedy, and cure for gonorrhœa, gleet, discharges from the urinary organs, gonorrhœa in the acute stage, inflammation of the bladder when the bladder walls are inflamed and even when there is hemorrhage, hematuria, frequency of micturition and the pain arising therefrom, suppurative nephritis, catarrh of the bladder, vesical

catarrh of old age, stricture of the urethra, congestion of the prostate, acute cystitis when the urine is colored with blood, and inflammation of the neck of the bladder, and discharges of the genito-urinary organs, whereas, in truth and in fact, it was not.

On March 5, 1920, no claimant having appeared for the property, a decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7991. Misbranding of Santal Midy Capsules. U. S. \* \* \* v. 42½ Dozen Bottles of Santal Midy Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10655. I. S. Nos. 7673-r, 7674-r. S. No. C-1307.)**

On June 23, 1919, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 42½ dozen bottles of Santal Midy Capsules, remaining unsold in the original unbroken packages at Oklahoma City, Okla., alleging that the article had been shipped on or about January 22, 1919, and April 24, 1919, by E. Fougera & Co., Inc., New York, N. Y., and transported from the State of New York into the State of Oklahoma, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Santal Midy Capsules."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that the contents of the capsules consisted of santal oil.

Misbranding of the article was alleged in substance in the libel for the reason that the statements regarding the curative and therapeutic effects thereof, appearing on the labels and in the circulars accompanying the article, falsely and fraudulently represented that the article was a treatment, remedy, and cure for gonorrhœa, gleet, and discharges from the urinary organs, gonorrhœa in the acute stage, inflammation of the bladder when the bladder walls are inflamed and even when there is hemorrhage, hematuria, frequency of micturition and the pain arising therefrom, suppurative nephritis, catarrh of the bladder, vesical catarrh of old age, and acute cystitis, whereas, in truth and in fact, it was not.

On October 16, 1919, no claimant having appeared for the property, a decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7992. Adulteration and misbranding of cocoa. U. S. \* \* \* v. 43 ½-Pound Packages and 37 ½-Pound Packages, 54 ½-Pound Packages and 49 ½-Pound Packages, 29 ½-Pound Packages and 28 ½-Pound Packages, 360 ½-Pound Packages and 480 ½-Pound Packages, 144 ½-Pound Packages and 240 ½-Pound Packages, 216 ½-Pound Packages and 480 ½-Pound Packages of a Product Purporting to be Cocoa (6 libels). Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 10971-93, inclusive; 10938-70, inclusive; 10994-11009, inclusive; 10927-33, inclusive; 10934-37, inclusive; 10921-26, inclusive. I. S. Nos. 6763-r, 6764-r, 6765-r, 6766-r, 6767-r, 6768-r. S. Nos. C-1359, C-1360, C-1361, C-1372, C-1373, C-1374.)**

On July 24 to 29, 1919, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district 6 libels for the seizure and condemnation of a quantity of a product purporting to be cocoa, remaining unsold in the original unbroken packages at Huntington, Fort Wayne, Marion,

LaFayette, Peru, and Wabash, Ind., alleging that the article had been shipped by the National Cocoa Mills, New York, N. Y., and received on or about March 26, 1919, having been transported from the State of New York into the State of Indiana, and charging adulteration and misbranding under the Food and Drugs Act, as amended. The article was labeled in part, "My Own Cocoa Valuable premiums Gold Medals My Own Pure Cocoa The Cocoa contained in this package is Positively High Grade \* \* \* Directions \* \* \*," (inconspicuously stamped on side panel) "'My own' Cocoa Compound Containing Cocoa, Sugar, Corn Starch. Net weight  $\frac{1}{2}$  Lb." or "Net Weight  $\frac{1}{2}$  Lb.," as case may be.

Adulteration of the article was alleged in the libels in substance in that certain foreign substances had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in whole or in part for cocoa, which the article purported to be.

Misbranding of the article was alleged in the libels in substance in that the statements "Cocoa," "Pure Cocoa," and "The Cocoa contained in this package is Positively High Grade," borne in conspicuous type on the packages containing the article, not corrected by the inconspicuous statement, "My own Cocoa Compound Contains Cocoa, Sugar, Corn Starch," were false and misleading and labeled so as to deceive and mislead the purchaser, in that they represented that the article was cocoa, when, in truth and in fact, it was not. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale and sold under the distinctive name of, another article, to wit, cocoa.

On April 3, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7993. Adulteration of raisins. U. S. \* \* \* v. 195 Boxes of Raisins. Consent decree of condemnation and forfeiture. Product ordered released under bond.** (F. & D. No. 11012. I. S. Nos. S503-r, S504-r. S. No. C-1383.)

On July 18, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 195 boxes of raisins, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on or about June 7, 1919, by the J. P. Michael Co., Indianapolis, Ind., and transported from the State of Indiana into the State of Illinois, and charging adulteration under the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that sand had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality and strength and had been substituted in part for raisins.

On September 19, 1919, J. P. Michael Co., Indianapolis, Ind., having filed an answer admitting the material allegations of the libel and consenting to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned that the article be reprocessed under the supervision of this department in such a manner as to remove substantially all of the sand.

E. D. BALL, *Acting Secretary of Agriculture.*



**7994. Adulteration and misbranding of butter. U. S. \* \* \* v. 267 Tubs of Butter. Consent decree of condemnation and forfeiture. Product ordered released under bond. (F. & D. No. 11024. I. S. No. 7727-r. S. No. C-1389.)**

On July 26, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 267 tubs of butter, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on or about July 17, 1919, by the J. M. [F. J.] Mumm Co., St. Paul, Minn., and transported from the State of Minnesota into the State of Illinois, and charging adulteration and misbranding under the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that excessive water had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality and strength, and that a substance deficient in milk fat and high in moisture had been substituted in part for butter. Adulteration was alleged for the further reason that a valuable constituent, to wit, butter fat, had been in part abstracted from said article of food.

Misbranding of the article was alleged for the reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, butter.

On November 1, 1919, J. M. [F. J.] Mumm Co., claimant, having filed an answer admitting, for the purposes of this proceeding, the material allegations of the libel and consenting to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000 in conformity with section 10 of the act, conditioned in part that said product be reprocessed under supervision of this department in such a manner as to remove the excess water from the article.

E. D. BALL, *Acting Secretary of Agriculture.*

**7995. Adulteration and misbranding of peanut oil. U. S. \* \* \* v. 50 Cases of 1-Gallon Cans, 25 Cases of 1-Quart Cans, 10 Cases of 1-Pint Cans, and 15 Cases of ½-Pint Cans of Alleged Peanut Oil. Consent decree of condemnation and forfeiture. Product ordered released under bond. (F. & D. No. 11028. I. S. No. 2195-r. S. No. W-453.)**

On July 29, 1919, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 cases of 1-gallon cans, 25 cases of 1-quart cans, 10 cases of 1-pint cans, and 15 cases of ½-pint cans of alleged peanut oil, remaining unsold in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped on or about October 26, 1918, by the Old Monk Olive Oil Co., Chicago, Ill., and transported from the State of Illinois into the State of California, and charging adulteration and misbranding under the Food and Drugs Act. The article was labeled in part, "Huile d'Arachides Marcella Brand Extra Superfine (Nut Oil) Packed by The Transatlantic Company, Chicago, New York Marcella Huile d'Arachides is the finest grade of pure Virgin Peanut Oil."

Adulteration of the article was alleged in the libel for the reason that cottonseed oil had been mixed and packed with, and substituted wholly or in part for, peanut oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements borne on said cans with respect to the article and the ingredients and substances contained therein were false and misleading and deceived and misled the pur-

chasers thereof into the belief that the product was peanut oil, whereas, in truth and in fact, cottonseed oil had been mixed and packed with, and substituted wholly or in part for, peanut oil. Misbranding of the article was alleged for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, peanut oil.

On January 4, 1920, the Old Monk Olive Oil Co., Chicago, Ill., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,500, in conformity with section 10 of the act, conditioned in part that the product be relabeled in a manner satisfactory to this department.

E. D. BALL, *Acting Secretary of Agriculture.*

**7996. Adulteration of shell eggs. U. S. \* \* \* v. 5 Cases of Shell Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11030. I. S. No. 8429-r. S. No. C-1387.)**

On July 17, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 cases of shell eggs, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about July 14, 1919, by Cathcart Bros., Springfield, Ark., and transported from the State of Arkansas into the State of Missouri, and charging adulteration under the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that the article consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On May 1, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7997. Adulteration and misbranding of butter. U. S. \* \* \* v. 333 Tubs of Butter. Consent decree of condemnation and forfeiture. Product ordered released under bond. (F. & D. No. 11066. I. S. Nos. 7214-r, 7215-r. S. No. C-1413.)**

On August 12, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 333 tubs of butter, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on or about July 21, 1919, by the R. E. Cobb Co., St. Paul, Minn., and transported from the State of Minnesota into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, excessive water, had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality and strength, and that a substance deficient in milk fat and high in moisture had been substituted in part for butter, which the article purported to be. Adulteration was alleged for the further reason that a valuable constituent of said article of food, to wit, butter fat, had been in part abstracted from the article.

Misbranding of the article was alleged for the reason that the said article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, butter.

On September 23, 1919, the Farmers Cooperative Dairy & Produce Co., having admitted the material allegations of the libel and having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceeding and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that said article should be reprocessed under the supervision of this department in such a manner as to remove the excess water therefrom.

E. D. BALL, *Acting Secretary of Agriculture.*

**7998. Misbranding of Texas Wonder. U. S. \* \* \* v. 24 Bottles of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11091. I. S. No. 7312-r. S. No. C-1417.)**

On August 20, 1919, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 24 bottles of Texas Wonder, remaining unsold in the original unbroken packages at Indianapolis, Ind., alleging that the article had been shipped on or about June 28, 1919, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Indiana, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "The Texas Wonder \* \* \* for Kidney and Bladder Troubles, Diabetes, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children;" (circular, testimonial of Louis A. Portner) "\* \* \* began using the Texas Wonder for stone in the kidneys, inflammation of the bladder and tuberculosis of the kidneys \* \* \* his urine contained 40% pus. \* \* \* was still using the medicine with wonderful results, and his weight had increased \* \* \*."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of oleoresin of copaiba, rhubarb, turpentine, guaiac, and alcohol.

Misbranding of the article was alleged in substance in the information for the reason that the above-quoted statements regarding the curative and therapeutic effects of the article were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the results claimed therefor.

On January 2, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and on February 24, 1920, it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7999. Misbranding of Short Stop. U. S. \* \* \* v. 12 Packages of Short Stop First Stage, 12 Packages of Short Stop Second Stage, and 12 Packages of Short Stop Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11095. I. S. Nos. 7313-r, 7314-r, 7315-r. S. No. C-1430.)**

On August 26, 1919, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 packages of Short Stop First Stage, 12 packages of Short Stop Second Stage, and 12 packages of Short Stop Capsules, remaining unsold in the original unbroken packages at Indianapolis, Ind., alleging that the article had been shipped on or about May 5, 1919, by the Massmann Chemical



Co., Covington, Ky., and transported from the State of Kentucky into the State of Indiana, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part, "Massmann's Short Stop."

Analyses of samples of the product by the Bureau of Chemistry of this department showed that the preparation labeled "Short Stop First Stage" consisted of a dilute aqueous solution of zinc sulpho-carbolate and berberine sulphate, with traces of phenol and bismuth hydroxid in suspension, that the preparation labeled "Short Stop Second Stage" consisted essentially of a dilute aqueous solution of zinc sulphate, berberine sulphate, and phenol, and that the article labeled "Short Stop Capsules" contained essentially a mixture of sodium bicarbonate, methylene blue, and salol.

Misbranding of the article was alleged in substance in the libel for the reason that the statements regarding the curative and therapeutic effects thereof, appearing on the labels and in the circular accompanying the article, falsely and fraudulently represented that the article was a treatment, remedy, and cure for gonorrhœa, gleet, stricture, leucorrhœa, kidney and bladder affections, chronic seminal and mucous discharges, complications attending gonorrhœa and gleet, posterior or far-back inflammation, catarrh, inflammation of the bladder, scalding or burning in passing water, retention of urine, gonorrhœal rheumatism, and certain other ailments, whereas, in truth and in fact, it was not.

On January 2, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and on February 24, 1920, the product was ordered destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8090. Adulteration and misbranding of cocoa. U. S. \* \* \* v. 5 Boxes of ½-Pound Cartons, 7 Boxes of ¼-Pound Cartons, 6 Boxes of ⅓-Pound Cartons, and 10 Boxes of ⅔-Pound Cartons of a Product Purporting to be Cocoa. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 11109, 11110. I. S. Nos. 7889-r, 7890-r. S. Nos. C-1426, C-1427.)

On August 27 and 29, 1919, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 5 boxes of ½-pound cartons, 7 boxes of ¼-pound cartons, 6 boxes of ⅓-pound cartons, and 10 boxes of ⅔-pound cartons of a product purporting to be cocoa, remaining unsold in the original unbroken packages at Frankfort and Crawfordsville, Ind., alleging that the article had been shipped on or about March 26, and April 5, 1919, by the National Cocoa Mills of New York, N. Y., and transported from the State of New York into the State of Indiana, and charging adulteration and misbranding under the Food and Drugs Act, as amended. The article was labeled in part, "My Own Pure Cocoa Net Weight one-fifth pound" or "one-half pound," as case may be. " \* \* \* The Cocoa Contained in this package is Positively High Grade and guaranteed by the manufacturers to comply with all Federal and State Food Laws. It is a breakfast cocoa of Superior Quality and Excellence \* \* \* Absolutely Pure No Alkalis No Chemicals \* \* \*." (Inconspicuously stamped on side panel) "My Own Cocoa Compound Containing Corn Starch Cocoa Sugar."

Adulteration of the article was alleged in the libel for the reason that certain foreign substances had been substituted in whole or in part for cocoa, and had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality and strength.

Misbranding of the article was alleged in substance for the reason that the following statements, to wit, "Cocoa," "Pure Cocoa," "The Cocoa Contained in this package is Positively High Grade," all of which statements appear in conspicuous type, not sufficiently corrected by the statement inconspicuously stamped on the side panel of the said package, to wit, "My Own Cocoa Compound Containing Corn Starch Cocoa Sugar," were false and misleading and the article was labeled so as to deceive and mislead the purchaser in that the article was not, in truth and in fact, pure cocoa. Misbranding of the article was alleged for the further reason that it was an imitation of, and was offered for sale and sold under the distinctive name of, another article, to wit, cocoa, and for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight or measure.

On January 2, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and on February 24, 1920, the goods were ordered destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

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